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# PENNSYLVANIA BULLETIN

Volume 27

Number 32

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Pages 3983—4078

**Agencies in this issue:**

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The Courts  
Department of Agriculture  
Department of Banking  
Department of Education  
Department of Environmental Protection  
Department of General Services  
Department of Health  
Department of Public Welfare  
Department of Transportation  
Environmental Hearing Board  
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Fish and Boat Commission  
Housing Finance Agency  
Independent Regulatory Review Commission  
Insurance Department  
Liquor Control Board  
Pennsylvania Public Utility Commission  
Philadelphia Regional Port Authority  
State Tax Equalization Board  
Wild Resource Conservation Fund

**Detailed list of contents appears inside.**

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**Latest Pennsylvania Code Reporter  
(Master Transmittal Sheet):**

**No. 273, August 1997**

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# READER'S GUIDE TO THE PENNSYLVANIA BULLETIN AND PENNSYLVANIA CODE

## ***Pennsylvania Bulletin***

The *Pennsylvania Bulletin* is the official gazette of the Commonwealth of Pennsylvania. It is published every week and includes a table of contents. A cumulative subject matter index is published quarterly.

The *Pennsylvania Bulletin* serves several purposes. First, it is the temporary supplement to the *Pennsylvania Code*, which is the official codification of agency rules and regulations and other statutorily authorized documents. Changes in the codified text, whether by adoption, amendment, repeal or emergency action must be published in the *Pennsylvania Bulletin*. Further, agencies proposing changes to the codified text do so in the *Pennsylvania Bulletin*.

Second, the *Pennsylvania Bulletin* also publishes: Governor's Executive Orders; State Contract Notices; Summaries of Enacted Statutes; Statewide and Local Court Rules; Attorney General Opinions; Motor Carrier Applications before the Public Utility Commission; Applications and Actions before the Department of Environmental Protection; Orders of the Independent Regulatory Review Commission; and other documents authorized by law.

The text of certain documents published in the *Pennsylvania Bulletin* is the only valid and enforceable text. Courts are required to take judicial notice of the *Pennsylvania Bulletin*.

There are no restrictions on the republication of official documents appearing in the *Pennsylvania Bulletin*.

## **Adoption, Amendment or Repeal of Regulations**

Generally an agency wishing to adopt, amend or repeal regulations must first publish in the *Pennsylvania Bulletin* a Notice of Proposed Rulemaking. There are limited instances where the agency may omit the proposal step; they still must publish the adopted version.

The Notice of Proposed Rulemaking contains the full text of the change, the agency contact person, a fiscal note required by law and background for the action.

The agency then allows sufficient time for public comment before taking final action. An adopted

proposal must be published in the *Pennsylvania Bulletin* before it can take effect. If the agency wishes to adopt changes to the Notice of Proposed Rulemaking to enlarge the scope, they must re-propose.

## **Citation to the *Pennsylvania Bulletin***

Cite material in the *Pennsylvania Bulletin* by volume number and page number. Example: Volume 1, *Pennsylvania Bulletin*, page 801 (short form: 1 Pa.B. 801).

## ***Pennsylvania Code***

The *Pennsylvania Code* is the official codification of rules and regulations issued by Commonwealth agencies and other statutorily authorized documents. The *Pennsylvania Bulletin* is the temporary supplement to the *Pennsylvania Code*, printing changes as soon as they occur. These changes are then permanently codified by the *Pennsylvania Code Reporter*, a monthly, loose-leaf supplement.

The *Pennsylvania Code* is cited by title number and section number. Example: Title 10 *Pennsylvania Code*, § 1.1 (short form: 10 Pa.Code § 1.1).

Under the *Pennsylvania Code* codification system, each regulation is assigned a unique number by title and section. Titles roughly parallel the organization of Commonwealth government. Title 1 *Pennsylvania Code* lists every agency and its corresponding *Code* title location.

## **How to Find Documents**

Search for your area of interest in the *Pennsylvania Code*.

The *Pennsylvania Code* contains, as Finding Aids, subject indexes for the complete *Code* and for each individual title, a list of Statutes Used As Authority for Adopting Rules and a list of annotated cases. Source Notes give you the history of the documents. To see if there have been recent changes, not yet codified, check the List of *Pennsylvania Code* Chapters Affected in the most recent issue of the *Pennsylvania Bulletin*.

The *Pennsylvania Bulletin* also publishes a quarterly List of Pennsylvania Code Sections Affected which lists the regulations in numerical order, followed by the citation to the *Pennsylvania Bulletin* in which the change occurred.

**SUBSCRIPTION INFORMATION: (717) 766-0211**  
**GENERAL INFORMATION AND FINDING AIDS: (717) 783-1530**

### Printing Format

Material proposed to be added to an existing rule or regulation is printed in **bold face** and material proposed to be deleted from such a rule or regulation is enclosed in brackets [ ] and printed in **bold face**. Asterisks indicate ellipsis of *Pennsylvania Code* text retained without change. Proposed new or additional regulations are printed in ordinary style face.

### Fiscal Notes

Section 612 of The Administrative Code of 1929 (71 P. S. § 232) requires that the Office of Budget prepare a fiscal note for regulatory actions and administrative procedures of the administrative departments, boards, commissions or authorities receiving money from the State Treasury stating whether the proposed action or procedure causes a loss of revenue or an increase in the cost of programs for the Commonwealth or its political subdivisions; that the fiscal note be published in the *Pennsylvania Bulletin* at the same time as the proposed change is advertised; and that the fiscal note shall provide the following information: (1) the designation of the fund out of which the appropriation providing for expenditures under the action or procedure shall be made; (2) the probable cost for the fiscal year the program is implemented; (3) projected cost estimate of the program for each of the five succeeding fiscal years; (4) fiscal history of the program for which expenditures are to be made; (5) probable loss of revenue for the fiscal year of its implementation; (6) projected loss of revenue from the program for each of the five succeeding fiscal years; (7) line item, if any, of the General Appropriation Act or other appropriation act out of which expenditures or losses of Commonwealth funds shall occur as a result of the action or procedures; (8) recommendation, if any, of the Secretary of the Budget and the reasons therefor.

The required information is published in the foregoing order immediately following the proposed change to which it relates; the omission of an item indicates that the agency text of the fiscal note states that there is no information available with respect thereto. In items (3) and (6) information is set forth for the first through fifth fiscal years; in that order, following the year the program is implemented, which is stated. In item (4) information is set forth for the current and two immediately preceding years, in that order. In item (8) the recommendation, if any, made by the Secretary of Budget is published with the fiscal note. See 4 Pa. Code § 7.231 *et seq.* Where "no fiscal impact" is published, the statement means no additional cost or revenue loss to the Commonwealth or its local political subdivision is intended.

## List of Pa. Code Chapters Affected

The following numerical guide is a list of the chapters of each title of the *Pennsylvania Code* affected by documents published in the *Pennsylvania Bulletin* during 1997.

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**255 Pa. Code (Local Court Rules)**

Unclassified	8, 12, 16, 17, 188, 294, 412, 583, 584, 723, 727, 798, 1011, 1152, 1552, 1644, 1927, 2047, 2414, 2534, 2537, 2635, 2740, 2817, 2923, 2924, 3043, 3044, 3213, 3426, 3427, 3520, 3670, 3671, 3997
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# THE GENERAL ASSEMBLY

## Proposed Amendments to the Constitution of Pennsylvania

The following proposed amendments to the Constitution of Pennsylvania were first approved by the General Assembly during 1995-96, and were approved by the General Assembly for the second time during the 1997 Session. Pursuant to Article XI, Section 1 of the Constitution, the Secretary of the Commonwealth has caused the proposed amendments to be published here.

Pursuant to law, the Secretary will cause the proposed amendments to be presented to the electors of Pennsylvania in the form of ballot questions at the Municipal Election to be held on November 4, 1997. If a ballot question is approved by a majority of the electors voting on it, the corresponding amendment becomes part of the Constitution.

The boldfaced words in the proposed amendments would be added to the Constitution and the bracketed words would be deleted.

Following each proposed amendment is the text of the question that will be placed on the ballot. Below each question is a Statement of the Attorney General indicating the purpose, limitations and effects of the ballot question on the people of the Commonwealth.

Anyone who needs help reading this advertisement or who needs the text of the advertisement in an alternative format may call or write the Pennsylvania Department of State, Bureau of Commissions, Elections and Legislation, Room 304 North Office Building, Harrisburg, PA 17120, (717) 787-5280.

YVETTE KANE,

*Secretary of the Commonwealth*

### JOINT RESOLUTION 1997-1

Proposing an amendment to the Constitution of the Commonwealth of Pennsylvania, authorizing an exclusion from taxation of a portion of the assessed value of homestead property.

The General Assembly of the Commonwealth of Pennsylvania hereby resolves as follows:

Section 1. The following amendment to the Constitution of Pennsylvania is proposed in accordance with Article XI:

That section 2(b) of Article VIII be amended by adding a clause to read:

§ 2. Exemptions and special provisions.

\* \* \*

(b) The General Assembly may, by law:

\* \* \*

**(vi) Authorize local taxing authorities to exclude from taxation an amount based on the assessed value of homestead property. The exclusions authorized by this clause shall not exceed one-half of the median assessed value of all homestead property within a local taxing jurisdiction. A local taxing authority may not increase the millage rate of its tax on real property to pay for these exclusions.**

### Ballot Question Regarding Joint Resolution 1997-1

Shall the Pennsylvania Constitution be amended to permit the enactment of legislation authorizing local

taxing authorities to exclude from taxation an amount based on the assessed value of homestead property, with the limitations that the exclusions shall not exceed one-half of the median assessed value of all homestead property within the taxing jurisdiction and that the taxing authority may not increase the millage rate of its tax on real property to pay for these exclusions?

### Statement Of Attorney General Regarding Joint Resolution 1997-1

#### Homestead Property Tax Assessment Exclusion

The purpose of the ballot question is to amend the Pennsylvania Constitution to permit the General Assembly to enact legislation authorizing local taxing authorities to disregard a part of the assessed value of homestead property in computing the amount of real estate tax owed by the property owner.

The proposed amendment would limit the amount of assessed value that could be disregarded by a local taxing authority. The exclusions authorized by the amendment could not exceed one-half of the median assessed value of all homestead property within the taxing jurisdiction. Also, the amendment would prohibit a local taxing authority from increasing the millage rate of its tax on real property to pay for the homestead exclusions.

The effect of the ballot question would be to enable the General Assembly to allow local taxing authorities to lower the tax paid on property owned and occupied as a residence or other homestead property in comparison to other property such as businesses within the same taxing jurisdiction.

### JOINT RESOLUTION 1997-2

Proposing an amendment to the Constitution of the Commonwealth of Pennsylvania, further providing for the composition and powers of the Board of Pardons.

The General Assembly of the Commonwealth of Pennsylvania hereby resolves as follows:

Section 1. The following amendment to the Constitution of Pennsylvania is proposed in accordance with Article XI:

That section 9 of Article IV be amended to read:

§ 9. Pardoning power; Board of Pardons.

(a) In all criminal cases except impeachment the Governor shall have power to remit fines and forfeitures, to grant reprieves, commutation of sentences and pardons; but no pardon shall be granted, nor sentence commuted, except on the recommendation in writing of a majority of the Board of Pardons, **and in the case of a sentence of death or life imprisonment, on the unanimous recommendation in writing of the Board of Pardons**, after full hearing in open session, upon due public notice. The recommendation, with the reasons therefor at length, shall be delivered to the Governor and a copy thereof shall be kept on file in the office of the Lieutenant Governor in a docket kept for that purpose.

(b) The Board of Pardons shall consist of the Lieutenant Governor who shall be chairman, the Attorney General and three members appointed by the Governor with the consent of **[ two-thirds or ]** a majority of the members elected to the Senate **[ as is specified by law ]** for terms of six years. The three members appointed by the Governor shall be residents of Pennsylvania **[ and**

shall be recognized leaders in their fields; one ]. One shall be a [ member of the bar, ] crime victim; one a [ penologist, ] corrections expert; and the third a doctor of medicine, psychiatrist or psychologist. The board shall keep records of its actions, which shall at all times be open for public inspection.

**Ballot Question Regarding  
Joint Resolution 1997-2**

Shall the Pennsylvania Constitution be amended to require a unanimous recommendation of the Board of Pardons before the Governor can pardon or commute the sentence of an individual sentenced in a criminal case to death or life imprisonment, to require only a majority vote of the Senate to approve the Governor's appointments to the Board, and to substitute a crime victim for an attorney and a corrections expert for a penologist as Board members?

**Statement Of Attorney General Regarding  
Joint Resolution 1997-2**

Changes in Board of Pardons Voting, Appointment Process and Composition

The purpose of the ballot question is to amend the Pennsylvania Constitution to add a provision concerning the recommendation that must be given by the Board of Pardons before the Governor can pardon or commute the sentence of an individual sentenced in a criminal case to death or life imprisonment and to change provisions regarding the process of appointing Board members and the composition of the Board membership.

The Pennsylvania Constitution now provides that in all criminal cases except impeachment, the Governor has the power to grant reprieves, commutation of sentences and pardons, but only on the recommendation in writing of a majority of the members of the Board of Pardons. The proposed amendment would require the unanimous recommendation of the Board before the Governor could pardon or commute the sentence of an individual sentenced to death or life imprisonment. The Constitution would continue to require only a majority vote of the Board to enable the Governor to grant a pardon or commute a sentence in a criminal case involving a sentence other than death or life imprisonment.

The Pennsylvania Constitution now provides that the members of the Board of Pardons are the Lieutenant Governor who is made Chairman, the Attorney General, and three members appointed by the Governor with the consent of two-thirds or a majority of the Pennsylvania Senate as provided by law. Of the three members appointed by the Governor, the Constitution now requires that one be an attorney, one be a penologist, and one be a doctor. The proposed amendment would eliminate the option of requiring the Governor's appointments to be approved by two-thirds of the Senate, thus requiring appointments to be approved by only a majority of the Senate. The amendment would replace the attorney member of the Board with a crime victim member and would change the member described as a penologist to a member described as a corrections expert.

The effect of the ballot question would be to make it more difficult for an individual sentenced to death or life imprisonment to obtain a pardon or commutation of sentence, to ease the process for Senate approval of the Governor's appointments to the Board of Pardons, and to ensure that crime victims are represented on the Board.

**JOINT RESOLUTION 1997-3**

Proposing an amendment to the Constitution of the Commonwealth of Pennsylvania, further providing for absentee voting.

The General Assembly of the Commonwealth of Pennsylvania hereby resolves as follows:

Section 1. The following amendment to the Constitution of Pennsylvania is proposed in accordance with Article XI:

That section 14 of Article VII be amended to read:

§ 14. Absentee voting.

(a) The Legislature shall, by general law, provide a manner in which, and the time and place at which, qualified electors who may, on the occurrence of any election, be absent from the [ State or county ] municipality of their residence, because their duties, occupation or business require them to be elsewhere or who, on the occurrence of any election, are unable to attend at their proper polling places because of illness or physical disability or who will not attend a polling place because of the observance of a religious holiday or who cannot vote because of election day duties, in the case of a county employee, may vote, and for the return and canvass of their votes in the election district in which they respectively reside.

(b) For purposes of this section, "municipality" means a city, borough, incorporated town, township or any similar general purpose unit of government which may be created by the General Assembly.

**Ballot Question Regarding  
Joint Resolution 1997-3**

Shall the Pennsylvania Constitution be amended to require the enactment of legislation permitting absentee voting by qualified electors who at the time of an election may be absent from the municipality where they reside because their duties, occupation or business require them to be elsewhere, which would change the current law permitting absentee voting by such qualified electors only when they are absent from the entire county where they reside?

**Statement Of Attorney General Regarding  
Joint Resolution 1997-3**

**Absentee Voting**

The purpose of the ballot question is to amend the Pennsylvania Constitution to require the General Assembly to enact legislation permitting absentee voting by eligible voters who at the time of an election may be away from the municipality where they reside because their duties, occupation or business require them to be elsewhere. The Pennsylvania Constitution now provides for absentee voting by such eligible voters only when they are absent from the entire county, as opposed to just the municipality, in which they reside.

The effect of the ballot question would be to increase opportunities to vote for persons who otherwise could not do so because their duties, occupation or business require them to be out of the city, borough, town, township or other municipal government unit where they reside and normally vote.

[Pa.B. Doc. No. 97-1243. Filed for public inspection August 8, 1997, 9:00 a.m.]

# THE COURTS

## Title 210—APPELLATE PROCEDURE

### PART I. RULES OF APPELLATE PROCEDURE [210 PA. CODE CH. 3]

[Correction]

#### Collateral Orders; No. 108; Doc. No. 1

An error appeared at 27 Pa.B. 3503, 3504 (July 19, 1997). Rule 313 (relating to collateral orders) was inadvertently rescinded. The text of the rule is being printed in Annex A.

#### Annex A

### TITLE 210. APPELLATE PROCEDURE

#### PART I. RULES OF APPELLATE PROCEDURE

##### ARTICLE I. PRELIMINARY PROVISIONS

#### CHAPTER 3. ORDERS FROM WHICH APPEALS MAY BE TAKEN

##### INTERLOCUTORY APPEALS

#### Rule 313. Collateral Orders.

(a) *General Rule.* An appeal may be taken as of right from a collateral order of an administrative agency or lower court.

(b) *Definition.* A collateral order is an order separable from and collateral to the main cause of action where the right involved is too important to be denied review and the question presented is such that if review is postponed until final judgment in the case, the claim will be irreparably lost.

*Official Note:* Rule 313 is a codification of existing case law with respect to collateral orders. See *Pubar v. Greco*, 483 Pa. 68, 73, 394 A.2d 542, 545 (1978) (quoting *Cohen v. Beneficial Industrial Corp.*, 337 U.S. 541 (1949)). Examples of collateral orders include an order denying a pre-trial motion to dismiss based on double jeopardy, *Commonwealth v. Brady*, 510 Pa. 363, 508 A.2d 286, 289-91 (1986) (allowing an immediate appeal from denial of double jeopardy claim under collateral order doctrine where trial court makes a finding that motion is not frivolous); an order denying a petition to permit the payment of death taxes, *Hankin v. Hankin*, 338 Pa. Super. 442, 487 A.2d 1363 (1985); and an order denying a petition for removal of an executor, *Re: Estate of Georgianna*, 312 Pa. Super. 339, 458 A.2d 989 (1983), *aff'd*, 504 Pa. 510, 475 A.2d 744. Thorough discussions of the collateral order doctrine as it has been applied by Pennsylvania appellate courts are found in the following sources: *Darlington, McKeon, Schuckers and Brown, 1 Pennsylvania Appellate, Practice Second Edition*, §§ 313:1-313:201 (1994) and *Byer, Appealable orders under the Pennsylvania Rules of Appellate Procedures in Practice and Procedures in Pennsylvania Appellate Courts* (PBI No. 1994-869); *Pines, Pennsylvania Appellate Practice: Procedural Requirements and the Vagaries of Jurisdiction*, 91 Dick. L. Rev. 55, 107-115 (1986).

If an order falls under Rule 313, an immediate appeal may be taken as of right simply by filing a notice of

appeal. The procedures set forth in Rules 341(c) and 1311 do not apply under Rule 313.

[Pa.B. Doc. No. 97-97-1138. Filed for public inspection July 18, 1997, 9:00 a.m.]

## Title 231—RULES OF CIVIL PROCEDURE

### PART I. GENERAL

#### [231 PA. CODE CH. 1000]

#### Proposed Recommendation No. 144; Pleadings

The Civil Procedural Rules Committee proposes to recommend the amendment of Rules of Civil Procedure 1019 and 1033 governing pleadings. The proposed recommendation is being submitted to the bench and bar for comments and suggestions prior to its submission to the Supreme Court.

All communications in reference to the proposed recommendation should be sent not later than September 12, 1997 to Harold K. Don, Jr., Esquire, Counsel, Civil Procedural Rules Committee, 5035 Ritter Road, Suite 700, Mechanicsburg, Pennsylvania 17055, or E-Mail to [civil.rules@court.state.pa.us](mailto:civil.rules@court.state.pa.us).

The Explanatory Comment which appears in connection with the proposed recommendation has been inserted by the Committee for the convenience of the bench and bar. It will not constitute part of the rules of civil procedure nor will it be officially adopted or promulgated by the Court.

#### Annex A

### TITLE 231. RULES OF CIVIL PROCEDURE

#### PART I. GENERAL

##### CHAPTER 1000. ACTIONS AT LAW

##### Subchapter A. CIVIL ACTION PLEADINGS

#### Rule 1019. Contents of Pleadings. General and Specific Averments.

\* \* \* \* \*

(i) **In an action seeking monetary relief for bodily injury, death or property damage, theories of negligence may be averred generally.**

**Official Note:** Subdivision (i) applies only to those actions for which damages for delay may be awarded pursuant to Rule of Civil Procedure 238.

#### Rule 1033. Amendment.

(a) A party, either by filed consent of the adverse party or by leave of court, may at any time change the form of action, **substitute a party**, correct the name of a party or amend **[his]** a pleading. The amended pleading may aver transactions or occurrences which have happened before or after the filing of the original pleading, even though they give rise to a new cause of action or defense. An amendment may be made to conform the pleading to the evidence offered or admitted.

(b) **An amendment of a pleading relates back to the date of the commencement of the action when**

(1) the amendment substitutes a party against whom a claim is asserted if within the period provided by law for commencing the action or for service of original process, the party to be substituted

(i) has received such notice of the institution of the action that the party will not be prejudiced in maintaining a defense on the merits, and

(ii) knew or should have known that, but for a mistake concerning the identity of the proper party, the action would have been brought against the party, or

**Official Note:** The amendment of a pleading to substitute a party is subject to considerations of time in light of the procedural posture of the case so that there is no prejudice to the party substituted.

The period for commencing an action or for service of original process is determined by *Lamp v. Heyman*, 469 Pa. 465, 366 A.2d 882 (1976), and its progeny.

(2) the amendment substitutes as a party the personal representative of a deceased named party whether death occurred before or after commencement of the action.

**Official Note:** An action may be brought against a deceased individual if it is not known that the individual is deceased or if the identity of the personal representative cannot be determined. An action may not be brought against the estate of a deceased individual.

#### Explanatory Comment

##### I. Rule 1019

Rule 1029 governing denials was amended in 1994 by adding subdivision (e) to provide for a general denial in actions for bodily injury, death or property damage. Now a corresponding amendment governing pleading in those actions is proposed for Rule 1019. New subdivision (i) provides that "theories of negligence may be averred generally." Factual detail will be revealed in discovery proceedings.

##### II. Rule 1033

New subdivision (b) adds two provisions to the rules of civil procedure relating to the substitution of a party and the relation back of that substitution "to the date of the commencement of the action."

The first provision, subdivision (b)(1), is directed solely to the instance when the wrong party has been sued. This provision allowing the substitution of the correct party is modeled on Federal Rule of Civil Procedure 15(c)(3) but is not a verbatim copy of it.

The second provision, subdivision (b)(2), is similarly directed to the instance when the wrong party has been sued. In this case, the wrong party is a defendant who is deceased at the time the action is commenced. The rule also encompasses the situation in which the right party has been sued, i.e., the defendant is living when the action is commenced but dies thereafter. In both cases, the rule provides for the substitution of the personal representative of the decedent.

The addition of proposed subdivision (b)(2) will change the present practice stated in Goodrich-Amram 2d § 2351:7, and § 1033:31 as well, that "where a named defendant is dead at the time an action is commenced,

the suit is a nullity because of the lack of a party defendant and, consequently, there can be no successor to the interest or office of the defendant."

*By the Civil Procedural Rules Committee*

EDWIN L. KLETT,  
Chairperson

[Pa.B. Doc. No. 97-1244. Filed for public inspection August 8, 1997, 9:00 a.m.]

## Title 234—RULES OF CRIMINAL PROCEDURE

### PART I. GENERAL

#### [234 PA. CODE CH. 305]

#### Order Approving the Revision of the Comment to Rule 305; No. 223: Doc. No. 2

The Criminal Procedural Rules Committee has prepared a Final Report explaining the July 28, 1997 revision of the Comment to Rule of Criminal Procedure 305 (Pretrial Discovery and Inspection). The Final Report follows the Court's Order.

#### Order

*Per Curiam:*

Now, this 28th day of July, 1997, upon the recommendation of the Criminal Procedural Rules Committee; this Recommendation having been submitted without publication pursuant to Pa.R.J.A. 103(a)(3), and a Final Report to be published with this Order:

*It Is Ordered* pursuant to Article V, Section 10 of the Constitution of Pennsylvania that the revision of the Comment to Pa.R.Crim.P. 305 in the following form is approved.

This *Order* shall be processed in accordance with Pa.R.J.A. 103(b), and shall be effective immediately.

#### Annex A

### TITLE 234. RULES OF CRIMINAL PROCEDURE

#### PART I. GENERAL

#### CHAPTER 300. PRETRIAL PROCEEDINGS

#### Rule 305. Pretrial Discovery and Inspection.

\* \* \* \* \*

**Official Note:** Present Rule 305 replaces former Rules 310 and 312 in their entirety. Former Rules 310 and 312 adopted June 30, 1964, effective January 1, 1965. Former Rule 312 suspended June 29, 1973, effective immediately. Present Rule 305 adopted June 29, 1977 and November 22, 1977, effective as to cases in which the indictment or information is filed on or after January 1, 1978; Comment revised April 24, 1981, effective June 1, 1981; amended October 22, 1981, effective January 1, 1982; amended September 3, 1993, effective January 1, 1994; amended May 13, 1996, effective July 1, 1996; **Comment revised July 28, 1997, effective immediately.**

#### Comment

**[In determining the extent to which pretrial discovery should be ordered under the "Discretionary with the Court" sections of this rule, judges may be guided by the following general principles**

**of the ABA Standards Relating to Discovery and Procedure Before Trial (Approved Draft, 1970):**

**Sec. 1.1: Procedural needs prior to trial.**

(a) Procedure prior to trial should serve the following needs:

(i) to promote an expeditious as well as fair determination of the charges, whether by plea or trial;

(ii) to provide the accused sufficient information to make an informed plea;

(iii) to permit thorough preparation for trial and minimize surprise at trial;

(iv) to avoid unnecessary and repetitious trials by exposing any latent procedural or constitutional issues and affording remedies therefor prior to trial;

(v) to reduce interruptions and complications of trial by identifying issues collateral to guilt or innocence and determining them prior to trial; and

(vi) to effect economies in time, money, and judicial and professional talents by minimizing paperwork, repetitious assertions of issues, and the number of separate hearings.

(b) These needs can be served by:

(i) fuller discovery;

(ii) simpler and more efficient procedures; and

(iii) procedural pressures for expediting the processing of cases.

**Sec. 1.2: Scope of Discovery.**

In order to provide adequate information for informed pleas, expedite trials, minimize surprise, afford opportunity for effective cross-examination, and meet the requirements of due process, discovery prior to trial should be as full and free as possible consistent with protection of persons, effective law enforcement, the adversary system, and national security. ]

\* \* \* \* \*

[Paragraph (G) is derived in part from ABA Standards Relating to Discovery and Procedure Before Trial § 2.6(a). See Commentary contained therein. Paragraph (G), however, makes this provision applicable to the work product of the defense, while the ABA Standards refer only to the prosecution.]

\* \* \* \* \*

*Committee Explanatory Reports.* Report explaining the September 3, 1993 amendments published at 21 Pa.B. 3681 (August 17, 1991).

Final Report explaining the May 13, 1996 amendments published with the Court's Order at 26 Pa.B. 2488 (June 1, 1996).

Final Report explaining the July 28, 1997 Comment revision deleting the references to the ABA Standards published with the Court's Order at 27 Pa.B. 3997 (August 9, 1997).

**FINAL REPORT<sup>1</sup>**

**Revision of the Comment to Pa.R.Crim.P. 305**

**PRETRIAL DISCOVERY AND INSPECTION**

On July 28, 1997, upon the recommendation of the Criminal Procedural Rules Committee, the Supreme Court approved the revision of the Comment to Rule of Criminal Procedure 305 (Pretrial Discovery and Inspection). This revision deletes from the Comment the references to the ABA Standards Relating to Discovery and Procedure Before Trial (Approved Draft, 1970). The Committee agreed that, because Rule 305 has been in effect since 1977, it is no longer necessary to retain in the Comment the ABA Standards as guidance to judges in determining the extent to which pretrial discovery should be ordered under the discretionary provisions of Rule 305. The Comment revision is effective immediately.

<sup>1</sup>The Committee's Final Reports should not be confused with the official Committee Comments to the rules. Also note that the Supreme Court does not adopt the Committee's Comments or the contents of the Committee's explanatory Final Reports.

[Pa.B. Doc. No. 97-1245. Filed for public inspection August 8, 1997, 9:00 a.m.]

## Title 25—LOCAL COURT RULES

### MONTGOMERY COUNTY

#### Amendment to Local Rule of Civil Procedure 1018.1\*; No. 97-00001-4

#### Order

*And Now*, this 18th day of July, 1997, the Court approves and adopts the following amendment to Montgomery County Local Rule of Civil Procedure 1018.1\*—*Notice to Defend—Office to be Contacted*. This Amendment shall become effective thirty (30) days from the date of publication in the *Pennsylvania Bulletin*.

The Court Administrator is directed to publish this Order once in the Montgomery County *Law Reporter* and in the *Legal Intelligencer*. In conformity with Pa.R.C.P. 239, seven (7) certified copies of the within Order shall be filed by the Court Administrator with the Administrative Office of Pennsylvania Courts. Two (2) certified copies shall be distributed to the Legislative Reference Bureau for publication in the *Pennsylvania Bulletin*. One (1) certified copy shall be filed with the Civil Procedure Rules Committee. One (1) copy shall be filed with the Prothonotary, one (1) copy with the Clerk of Courts, and (1) copy with the Court Administrator of Montgomery County, one (1) copy with the Law Library of Montgomery County and one (1) copy with each Judge of this Court.

*By the Court*

JOSEPH A. SMYTH,  
*President Judge*

#### **Rule 1018.1\*. Notice to Defend—Office to be Contacted.**

As provided by Pennsylvania Rule of Civil Procedure 1018.1 the following office is designated to be named in



the Notice to Defend prescribed by that rule as the office from which advice on where to get legal help can be obtained.

Lawyer Reference Service  
409 Cherry Street  
Norristown, Pennsylvania 19401  
(610) 279-9660

[Pa.B. Doc. No. 97-1246. Filed for public inspection August 8, 1997, 9:00 a.m.]

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## COMMONWEALTH COURT

**Regular Sessions of Commonwealth Court for the  
Year 1998; No. 126 M. D. No. 3**

### Order

*And Now*, this 17th day of July, 1997, pursuant to Pa.R.A.P. 3703, the following calendar is fixed for the year 1998:

### *Session*

February 9-13  
March 16-20  
April 13-17  
May 4-8  
June 8-12  
September 14-18  
October 5-9  
November 16-20  
December 7-11

### *Situs*

Philadelphia  
Pittsburgh  
Harrisburg  
Philadelphia  
Pittsburgh  
Harrisburg  
Philadelphia  
Pittsburgh  
Harrisburg

### *By the Court*

JAMES GARDNER COLINS,  
*President Judge*

[Pa.B. Doc. No. 97-1247. Filed for public inspection August 8, 1997, 9:00 a.m.]

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# RULES AND REGULATIONS

## Title 58—RECREATION

### FISH AND BOAT COMMISSION [58 PA. CODE CHS. 53, 105 AND 109] Commission Property and Boating

The Fish and Boat Commission (Commission) by this order amends Chapters 53, 105 and 109 (relating to Commission property; operational conditions; and specialty boats and waterskiing activities). The Commission is adopting these amendments under the authority of 30 Pa.C.S. (relating to Fish and Boat Code) (code). The amendments relate to Commission property and boating.

#### A. *Effective Date*

These amendments will go into effect upon publication of this order.

#### B. *Contact Person*

For further information on the amendments, contact Laurie E. Shepler, Assistant Counsel, (717) 657-4546, P. O. Box 67000, Harrisburg, PA 17106-7000. This final rulemaking is available electronically through the Commission's Web site (<http://www.fish.state.pa.us>).

#### C. *Statutory Authority*

The amendments are published under the statutory authority of sections 741 and 5123 of the code (relating to control of property; and general boating regulations).

#### D. *Purpose and Background*

The amendments are designed to update, modify and improve Commission regulations on boating. The specific purpose of the amendments is described in more detail under the summary of changes.

#### E. *Summary of Changes*

1) *Section 53.8 (relating to boats)*. The Commission has owned and operated lakes for fishing for many years. Boats of any kind were originally prohibited because these lakes were deemed to be for fishing. Over time, these restrictions were relaxed. First, unpowered boats, except sailboats, were permitted. Then the Commission allowed boats with electric motors. Finally, sailboats were permitted but were restricted to boats less than 14 feet on lakes less than 100 acres and less than 17 feet on all other lakes. Sailboats also were not permitted on trout stocked lakes from opening day of trout season until June 1.

The original restrictions were based on the principle that the lakes were fishing lakes and not boating. The actual reasons for the change in direction are lost in the records, but it is assumed that the Commissioners at that time began to realize that fishing from a boat did not hurt the resource and would provide additional enjoyment. Sailboats were considered not to be useful for fishing and therefore were not included. It was further thought that the operation of sailboats would impact the use of the lakes by fishermen. They feared uncontrolled sailboats running over anglers' fishing lines.

The use of Commission lakes by sailboats is limited, but the potential for additional use exists. Since the Commission is charged with providing both fishing and boating opportunities, the Commission has amended the current regulations to accommodate both uses within

acceptable management principles. The amendment will provide additional resources for use by sailboats.

The Commission's Boating Advisory Board (Board) previously recommended the publication of a notice of proposed rulemaking containing this change. At its meeting in May 1997, the Board recommended final adoption by the Commission.

2) *Sections 105.3 and 109.3 (relating to unacceptable boating practices; and personal watercraft)*. At the 1996 annual conference, the National Association of State Boating Law Administrators (NASBLA) adopted changes to the model Personal Watercraft Act. The amendments were directed at further refining the use and operation of these boats. Although the Commission already has implemented several of the changes, staff wished to include several new sections relating to operating in proximity of other boats. Additionally, staff proposed that the age for operating personal watercraft solo be raised to 16. Staff proposed that these changes be incorporated into § 109.3.

At its December 20, 1996, meeting, the Board considered these changes and concluded, with the concurrence of staff, that the majority of the discussed restrictions should not apply solely to personal watercraft but to other boats as well. Therefore, the Board recommended that the Commission amend these provisions, with a few changes, into existing unacceptable boating practices in § 105.3. The Board, however, did not recommend that the Commission adopt the staff's recommendation that the age for operating personal watercraft solo be raised to 16 years.

At its January 25, 1997, meeting, the Commission considered these changes. With regard to § 105.3, the Commission approved the publication of a notice of proposed rulemaking consistent with the recommendations of the Board. With regard to § 109.3, the Commission, contrary to the recommendation of the Board, approved the publication of a notice of proposed rulemaking containing a provision that no person 15 years of age or younger may operate a personal watercraft on the waters of this Commonwealth, except a person 12 to 15 years of age may operate a personal watercraft if a person at least 18 years of age is on board the boat.

At its meeting in May 1997, the Board recommended final adoption of the proposed changes to the unacceptable boating practices provisions, but it did not recommend final adoption of the proposed amendments to the personal watercraft provisions. The Commission, on final rulemaking, adopted the changes to §§ 105.3 and 109.3 as proposed with one exception. The Commission amended § 109.3 to provide that a person 12 to 15 years of age may legally operate a personal watercraft if the person has obtained a boating safety certificate issued or recognized by the Commission and there are no passengers on board the personal watercraft or if there is a person at least 18 years of age on board the personal watercraft.

3) *Sections 109.2—109.4 (relating to sailboards; personal watercraft; and waterskiing, aquaplaning, kite skiing and similar activities)*. The Coast Guard has adopted regulations that will allow manufacturers to produce fully inflatable personal flotation devices (PFDs) for the recreational boating market in 1997. This action is seen by many as a major step forward in boating safety. With these devices, more boaters will be willing to wear a PFD. Wearing a PFD has been shown to be the single most effective factor that boaters can do to increase their

chances of surviving a boating accident. However, the fully inflatable PFD is not designed to be the PFD of choice for all activities. While it is ideal for cruising boats and fishing boats, it is not well designed for use on boats where the participant ends up in the water on a routine basis. Examples of this type of boat would be personal watercraft and sailboats. Use by waterskiers also would have the reverse effect than that which is desired.

Some inflatable PFDs are being manufactured so that they automatically inflate when submersed; others must be manually inflated by jerking a cord. Both types will have an oral backup capability. Boaters and waterskiers who are frequently in the water will find an automatic inflatable device an inconvenience as it inflates every time that it falls into the water. A manual inflation device also would not be a good choice because these individuals often end up in the water under conditions that would not allow them to inflate the device in time to save their lives. Manufacturers intend to place a warning label on their packaging about the dangers of using a fully inflatable PFD in the wrong circumstances. This warning to the purchaser will not be enough to prevent knowledgeable boaters from purchasing or using these devices when they should not.

The Commission therefore adopted amendments to §§ 109.2—109.4 that clarify that inflatable PFDs may not be used to meet the requirements of these sections. The Board previously recommended the publication of a notice of proposed rulemaking containing these changes. At its meeting in May 1997, the Board recommended final adoption by the Commission.

#### F. Paperwork

The amendments hereby adopted will not increase paperwork and will create no new paperwork requirements.

#### G. Fiscal Impact

The amendments hereby adopted will have no adverse fiscal impact on the Commonwealth or its political subdivisions. The amendments will impose no new costs on the private sector or the general public.

#### H. Public Involvement

A notice of proposed rulemaking containing the changes was published at 27 Pa.B. 1159 (March 8, 1997). The only changes to attract public comment were the amendments to §§ 105.3 and 109.3. The Commission received three comments on these changes. One commentator believed that (1) the Commission should require all persons who operate a boat or personal watercraft to take a boating safety course; (2) no one under 16 should be permitted to operate any boat or personal watercraft; and (3) water skiers should be required to wear bright orange or yellow ski vests. A second commentator supported the amendments making it unlawful to operate a boat in excess of slow, minimum height swell speed within 100 feet to the rear of another boat. The third commentator opposed the regulation that provided that no person 15 years of age or younger may operate a personal watercraft solo on the waters of this Commonwealth.

Copies of all comments were provided to the Commissioners.

#### Findings

The Commission finds that:

(1) Public notice of intention to adopt the amendments adopted by this order has been given under sections 201 and 202 of the act of July 31, 1968 (P. L. 769, No. 240) (45

P. S. §§ 1201 and 1202) and the regulations promulgated thereunder 1 Pa. Code §§ 7.1 and 7.2.

(2) A public comment period was provided and that all comments received were considered.

(3) The adoption of the regulations of the Commission in the manner provided in this order is necessary and appropriate for administration and enforcement of the authorizing statutes.

#### Order

The Commission, acting under the authorizing statutes, orders that:

(a) The regulations of the Commission, 58 Pa. Code Chapters 53, 105 and 109, are amended by amending §§ 53.8, 105.3, 109.2 and 109.4 to read as set forth at 27 Pa.B. 1159 and by amending § 109.3 to read as set forth at Annex A.

(b) The Executive Director will submit this order, 27 Pa.B. 1159 and Annex A to the Office of Attorney General for approval as to legality as required by law.

(c) The Executive Director shall certify this order, 27 Pa.B. 1159 and Annex A and deposit them with the Legislative Reference Bureau as required by law.

(d) This order shall take effect immediately upon publication in the *Pennsylvania Bulletin*.

PETER A. COLANGELO,  
*Executive Director*

**Fiscal Note:** Fiscal Note 48A-64 remains valid for the final adoption of the subject regulations.

#### Annex A

### TITLE 58. RECREATION

## PART II. FISH AND BOAT COMMISSION

### Subpart C. BOATING

## CHAPTER 109. SPECIALTY BOATS AND WATERSKIING ACTIVITIES

### § 109.3. Personal watercraft.

(a) As used in this section, "personal watercraft" means a boat less than 16 feet in length which:

(1) Uses an internal combustion motor powering a water jet pump as its primary source of motive propulsion.

(2) Is designed to be operated by a person sitting, standing or kneeling rather than in the conventional manner of boat operation.

(b) It is unlawful for a person to operate, or be a passenger onboard, a personal watercraft on the waters of this Commonwealth unless the person is wearing a Type I, II, III or V United States Coast Guard approved personal flotation device. Inflatable personal flotation devices may not be used to meet this requirement.

(c) A person operating a personal watercraft equipped by the manufacturer with a lanyard type engine cutoff switch shall attach the lanyard to his person, clothing or personal flotation device as appropriate for the specific vessel.

(d) A person may not operate a personal watercraft between sunset and sunrise.

(e) Subsections (b) and (c) do not apply to a performer participating in a permitted regatta, race, marine parade,

tournament or exhibition or to a person preparing to participate in the event at the location and within 48 hours prior to the event.

(f) A rental business may not lease, hire or rent a personal watercraft to or for use by a person who is 15 years of age or younger.

(g) The operator of a personal watercraft with a capacity of two or less persons as determined by the manufacturer, may not tow waterskiers or engage in waterskiing or similar activities while operating a personal watercraft.

(h) A person 15 years of age or younger may not operate a personal watercraft on the waters of this Commonwealth, except a person 12 to 15 years of age may operate a personal watercraft if there is a person at least 18 years of age on board the personal watercraft or if the person operating the personal watercraft has obtained a boating safety certificate issued or recognized by the Commission and there are no passengers on board the personal watercraft.

[Pa.B. Doc. No. 97-1248. Filed for public inspection August 8, 1997, 9:00 a.m.]

# STATEMENTS OF POLICY

## Title 4—ADMINISTRATION

### PART II. EXECUTIVE BOARD

#### [4 PA. CODE CH. 9]

#### Reorganization of the Department of Environmental Protection

The Executive Board approved a reorganization of the Department of Environmental Protection effective July 21, 1997.

The organization chart at 27 Pa. B. 4003 (August 9, 1997) is published at the request of the Joint Committee on Documents under 1 Pa. Code § 3.1(a)(9) (relating to content of *Code*).

*(Editor's Note: The Joint Committee on Documents has found organization charts to be general and permanent in nature. This document meets the criteria of 45 Pa.C.S. § 702(7) as a document general and permanent in nature which shall be codified in the Pennsylvania Code.)*

[Pa.B. Doc. No. 97-1249. Filed for public inspection August 8, 1997, 9:00 a.m.]

### PART II. EXECUTIVE BOARD

#### [4 PA. CODE CH. 9]

#### Reorganization of the Department of General Services

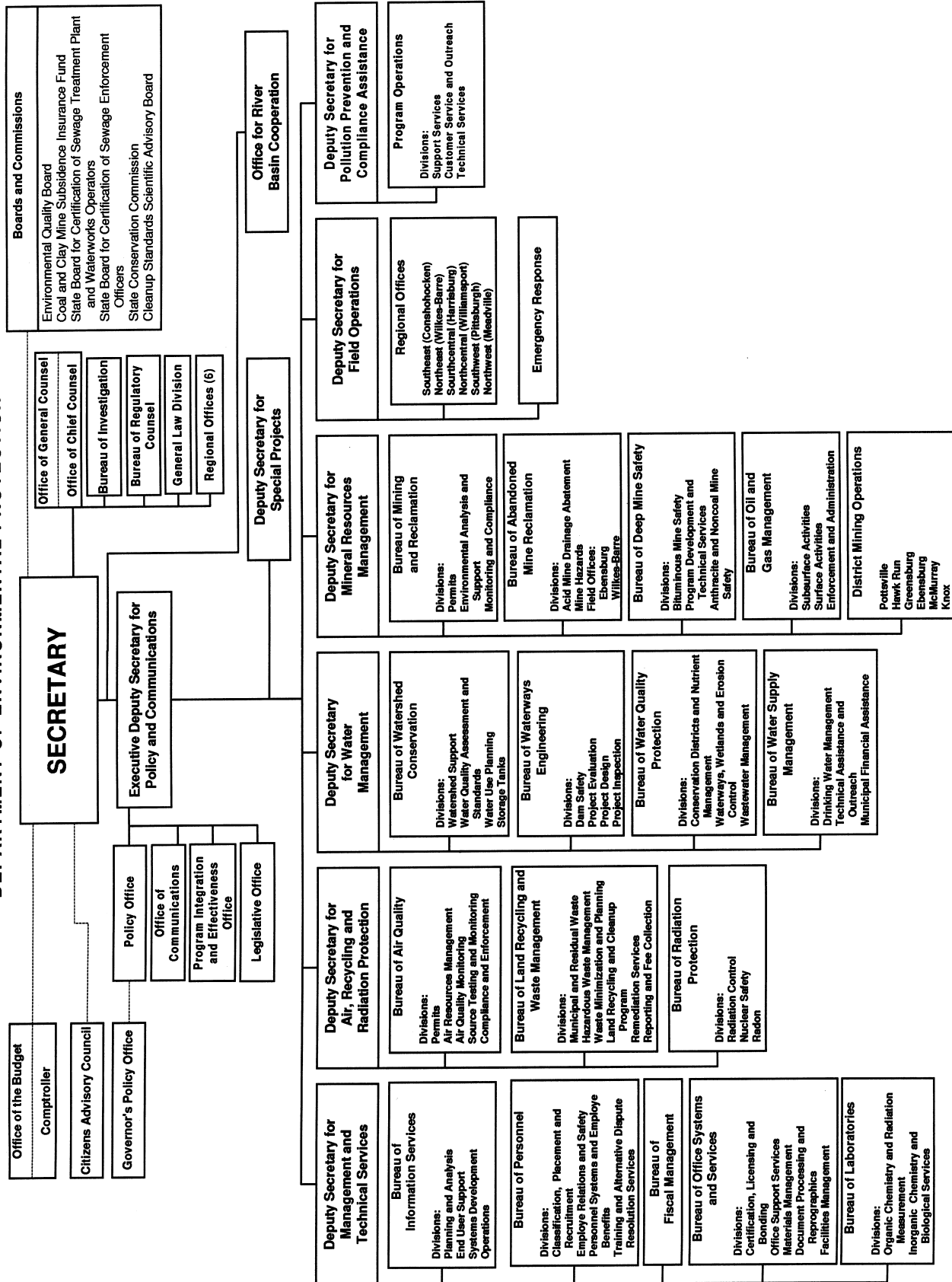
The Executive Board approved a reorganization of the Department of General Services effective July 21, 1997.

The organization chart at 27 Pa. B. 4004 (August 9, 1997) is published at the request of the Joint Committee on Documents under 1 Pa. Code § 3.1(a)(9) (relating to content of *Code*).

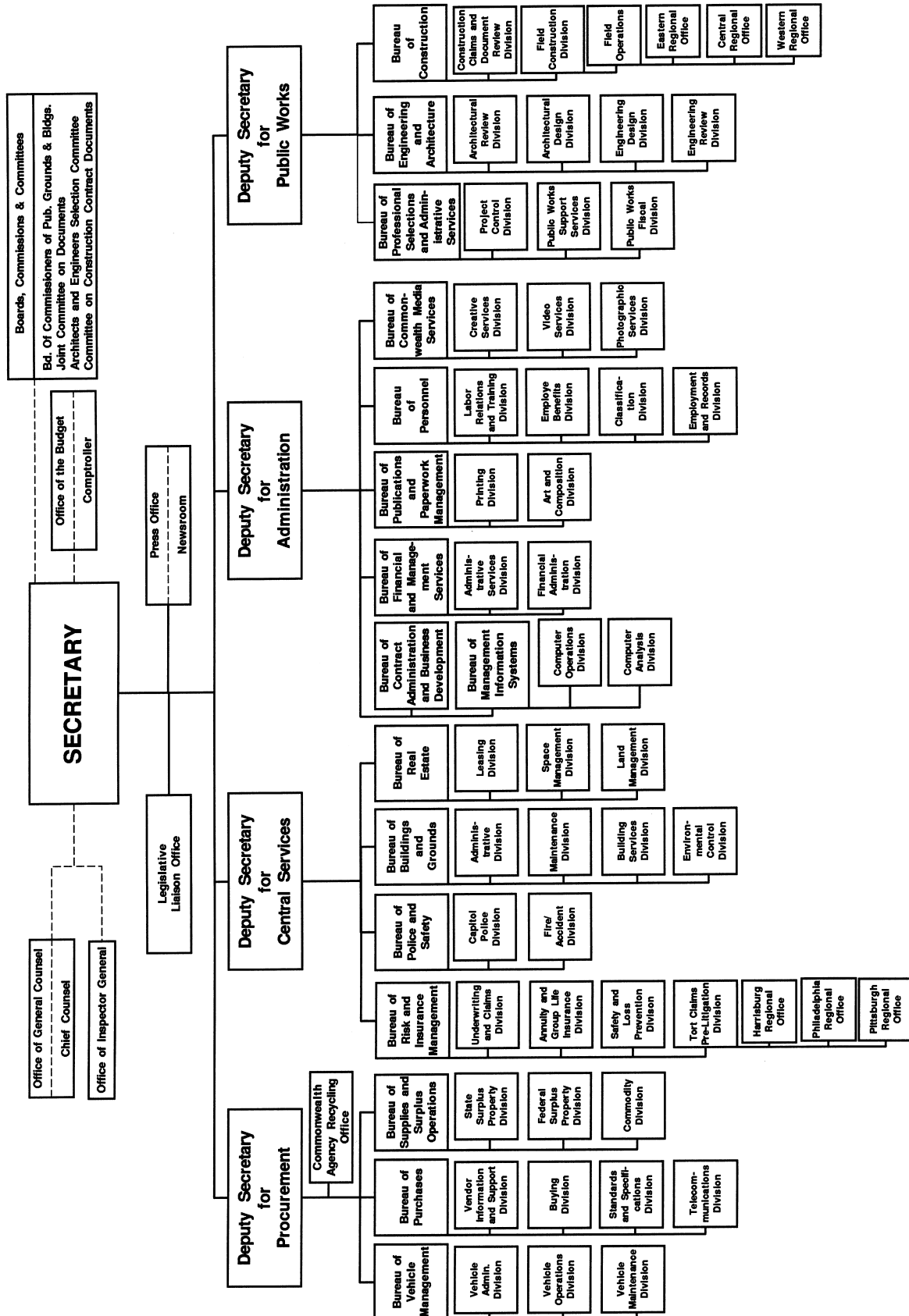
*(Editor's Note: The Joint Committee on Documents has found organization charts to be general and permanent in nature. This document meets the criteria of 45 Pa.C.S. § 702(7) as a document general and permanent in nature which shall be codified in the Pennsylvania Code.)*

[Pa.B. Doc. No. 97-1250. Filed for public inspection August 8, 1997, 9:00 a.m.]

## DEPARTMENT OF ENVIRONMENTAL PROTECTION



## DEPARTMENT OF GENERAL SERVICES



# Title 55—PUBLIC WELFARE

## DEPARTMENT OF PUBLIC WELFARE

[55 PA. CODE CH. 1101]

### Medical Assistance Manual; General Provisions

This statement of policy revises the interim policy set forth in § 1101.77a (26 Pa.B. 5996) (December 14, 1996) to provide that, effective August 11, 1997, the Department of Public Welfare (Department) will terminate the enrollment and suspend payments to a nursing facility provider that expands its existing licensed bed capacity. The former interim policy published on December 14, 1996, allowed a nursing facility provider to expand its existing licensed bed capacity by ten beds or 10%, whichever was less, over a 2-year period (the 10/10 Rule) in accordance with the former certificate of need (CON) process. Nursing facility providers that can demonstrate to the Department that they substantially implemented the expansion project within the "10/10" Rule between December 19, 1996, and August 10, 1997, in reliance on the Department's former interim policy, are not subject to termination pursuant to this revised interim policy.

To demonstrate that an expansion project was substantially implemented within the "10/10" Rule prior to August 10, 1997, nursing facility providers must submit to the Department documentation demonstrating that they have expended funds, assumed debt, or incurred liabilities in reliance on the Department's interim policy. The documentation shall include, but is not limited to, invoices, bank statements, loan documents, construction contracts, or other auditable evidence demonstrating that the provider has expended funds, assumed debt, or incurred liabilities prior to August 10, 1997. The Department will evaluate each expansion project on a case-by-case basis to determine whether the particular provider has substantially implemented the project. Providers who have received written confirmation from the Department that their expansion project may be implemented pursuant to the "10/10" Rule do not need to submit documentation to the Department pursuant to this policy.

#### *Discussion*

Under the former CON process, a certain amount of incremental growth in the number of nursing facility beds was permitted without a review of need. Specifically, an existing nursing facility could, on a biennial basis, increase the number of its beds by 10% or ten beds, whichever was less, without obtaining a CON from the Department of Health (DOH). During the time that the Department relied upon the bed-need determinations of DOH, this practice meant that the number of beds enrolled in the Medical Assistance (MA) Program consistently increased, even when new beds may not have been needed.

The Department has determined that this incremental growth is no longer desirable or appropriate. In most areas, the quantity of beds available to MA residents exceeds the need. If the 10/10 Rule were continued, and providers were permitted to add beds, that overall surplus would only be exacerbated. Furthermore, the 10/10 Rule does not provide any assurance that the needs of the MA Program specifically, or the community generally, will be considered, let alone met, by these incremental expansions. To the contrary, since the demise of CON, the Department has noted that the large majority of 10/10 expansions have occurred not where there is indication of need, but in counties with existing bed surpluses. In

addition, in its recent report to the Governor the Intra-Governmental Council on Long-Term Care recommended that the 10/10 Rule be abandoned. For these reasons, the Department has revised the interim policy set forth in § 1101.77a to remove the ability of nursing facility providers to expand under the 10/10 Rule. Consequently, if a provider currently enrolled in the MA Program increases the number of beds at its nursing facility without having been first granted an exception, the Department's policy will be to terminate that facility's provider agreement regardless of whether the increase meets or exceeds the former 10/10 Rule.

In addition to the Department's revision to its interim policy codified at § 1101.77a, the Department will publish a nursing facility exceptions request statement of policy setting forth the guidelines the Department will use to review requests of applicants or participating providers to increase the number of MA certified nursing facility beds. It is the Department's intent to publish this statement of policy by November, and the Department will use its best efforts to issue decisions on exceptions requests received prior to June 30, 1997, by the end of 1997. The statement of policy will also clarify instances in which the Department will make capital component payments for replacement beds pending the promulgation of regulations. Under the statement of policy, a nursing facility provider will be afforded an opportunity to submit whatever information it deems relevant to the question of whether an exception should be granted in its particular circumstances. The Department may grant an exception in appropriate circumstances if it determines that increasing the number of MA certified nursing facility beds is in the best interests of the MA Program.

#### *Comments*

Although this statement of policy will become effective on August 11, 1997, the Department will consider comments regarding the revised interim policy. To be considered, comments must be received within 45 days of the date of publication.

Persons with a disability may use the AT&T Relay Service by calling (800) 654-5984 (TDD users) or (800) 654-5988 (Voice users). If a person requires another alternative, contact Thomas Vracarich in the Office of Legal Counsel at (717) 783-2209.

#### *Contact Person*

Comments and questions regarding this statement of policy should be directed to Regulations Coordinator, Office of Medical Assistance, Room 515 Health and Welfare Building, Harrisburg, PA 17120, (717) 787-1870.

#### *Effective Date*

This statement of policy shall take effect on August 11, 1997.

FEATHER O. HOUSTOUN,  
*Secretary*

*(Editor's Note: The regulations of the Department, 55 Pa. Code Chapter 1101, are amended by amending a statement of policy at § 1101.77a to read as set forth in Annex A.)*

**Fiscal Note:** 14-BUL-053. No fiscal impact; (8) recommends adoption. This statement of policy discontinues the practice of permitting nursing homes to automatically increase their MA bed capacity on an annual basis by 10 new beds or 10% of their total bed capacity, the "10/10 Rule." The Department may grant an exception in appropriate circumstances if it determines that increasing the



number of MA certified nursing facility beds is in the best interest of the MA Program. It is anticipated these changes will result in a savings to the Commonwealth in MA payments in future years to the extent there is a reduction in MA beds below the (10/10) rate currently authorized.

**Annex A**

**TITLE 55. PUBLIC WELFARE**

**PART III. MEDICAL ASSISTANCE MANUAL**

**CHAPTER 1101. GENERAL PROVISIONS  
FEES AND PAYMENTS**

**§ 1101.77a Termination for convenience and best interests of the Department—statement of policy.**

(a) Effective December 19, 1996, under § 1101.77(b)(1) (relating to enforcement actions by the Department), the Department will terminate the enrollment and direct and indirect participation of, and suspend payments to, an ICF/MR, inpatient psychiatric hospital or rehabilitation hospital provider that expands its existing licensed bed

capacity by more than ten beds or 10%, whichever is less, over a 2-year period, unless the provider obtained a Certificate of Need or letter of nonreviewability from the Department of Health dated on or prior to December 18, 1996, approving the expansion. Effective August 11, 1997, under § 1101.77(b)(1), the Department will terminate the enrollment and direct and indirect participation of, and suspend payments to, a nursing facility provider that expands its existing licensed bed capacity. A nursing facility provider that prior to August 11, 1997, relied on the interim policy effective December 19, 1996, and substantially implemented a project to expand its facility by ten beds or 10%, whichever is less, within a 2-year period, will not be terminated from enrollment under this policy.

(b) The Department will consider exceptions to subsection (a) on a case-by-case basis.

[Pa.B. Doc. No. 97-1251. Filed for public inspection August 8, 1997, 9:00 a.m.]

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# NOTICES

## DEPARTMENT OF AGRICULTURE

### Revised General Quarantine Order

The Department of Agriculture (Department) hereby gives notice of a revision to a General Quarantine Order it issued on May 16, 1997. The May 16, 1997 General Quarantine Order was published at 27 Pa. B. 2650 (May 31, 1997), and established a general quarantine with respect to portions of Rapho, Penn, East Hempfield and West Hempfield Townships, in Lancaster County.

The Revised General Quarantine Order was issued on July 25, 1997, and is set forth in its entirety at Annex A.

The May 16, 1997 General Quarantine Order was entered as a result of the presence of the H7N2 Avian Influenza virus in several poultry flocks within the quarantined area. Since this general quarantine was initiated, the Department has also encountered antibody evidence of the H5 Avian Influenza virus in the quarantined area. The Revised General Quarantine Order addresses the possible presence of the H5 Avian Influenza virus and makes technical changes deemed appropriate in light of the Department's administration of the general quarantine to date.

The general quarantine and this Revised General Quarantine Order are authorized under the Domestic Animal Law (3 Pa.C.S. §§ 2329(a) and (d)). Those same statutory provisions require the prompt publication of this notice.

Further information may be obtained from the following source: Max VanBuskirk, Director, Bureau of Animal Health and Diagnostic Services, Department of Agriculture, 2301 North Cameron Street, Harrisburg, PA 17110-9408, (717) 783-6677.

### Annex A

### Revised General Quarantine Order

*Whereas*, the Pennsylvania Department of Agriculture issued a General Quarantine Order on May 16, 1997;

*Whereas*, the aforescribed May 16, 1997 General Quarantine Order was subsequently published at 27 Pa. Bulletin 2650 (May 31, 1997);

*Whereas*, the May 16, 1997 General Quarantine Order was issued under authority of the Domestic Animal Law (3 Pa.C.S. Section 2329(a) and (d));

*Whereas*, the objective of the May 16, 1997 General Quarantine Order was to facilitate the identification, containment and eradication of the H7N2 Avian Influenza virus among poultry flocks in an area of Lancaster County designated the "Quarantined Area";

*Whereas*, in the course of this identification, containment and eradication effort the Pennsylvania Department of Agriculture has also encountered antibody evidence of the H5 Avian Influenza virus; and

*Whereas*, the Pennsylvania Department of Agriculture hereby revises the May 16, 1997 General Quarantine Order to reflect the possible presence of the H5 Avian Influenza virus and to make changes deemed advisable in light of its experience in administering the quarantine to date.

*Now, Therefore, the Pennsylvania Department of Agriculture*, pursuant to the authority granted it under the Domestic Animal Law and Section 1702 of the Administrative Code of 1929 (71 P.S. Section 442), orders the following:

1. The May 16, 1997 General Quarantine Order shall continue to remain in full force and effect, except to the extent it is expanded, revised or supplanted by the provisions of this Revised General Quarantine Order.

2. The provisions of the May 16, 1997 General Quarantine Order applicable to premises and flocks within the Quarantined Area where the H7 Avian Influenza virus or its antibody is detected are henceforth also applicable to premises and flocks within the Quarantined Area where the H5 Avian Influenza virus or its antibody is detected.

3. Paragraph 6(b) of the May 16, 1997 General Quarantine Order is revised to read as follows:

Permit may be issued for movement of poultry and poultry products quarantined because of evidence of H7 or H5 if the influenza virus is not highly pathogenic according to USDA studies under the following conditions:

4. Paragraph 6(b)(1) of the May 16, 1997 General Quarantine Order is revised to read as follows:

In the absence of clinical signs of influenza a permit may be issued for the biosecure movement of eggs to a pasteurization facility. If clinical signs of influenza are present only sanitized eggs may be moved under such a permit for pasteurization.

5. Paragraph 6(b)(2) of the May 16, 1997 General Quarantine Order is revised to read as follows:

A permit may be issued to move live poultry directly to slaughter or to move live poultry to another quarantined premises if there are no clinical signs of influenza and if virus detection tests of poultry and the environment are found to be negative.

6. Paragraph 7 of the May 16, 1997 General Quarantine Order is revised to read in its entirety as follows:

The following describes the circumstances under which a Special Quarantine imposed under paragraph 4 may be released:

(a) A Special Quarantine imposed under paragraph 4 may be released when all of the following occur:

(1) All live poultry have been depopulated, whether by euthanizing and disposing of the poultry according to protocol established and supervised by the Pennsylvania Department of Agriculture, or by removing the poultry in accordance with a permit issued under Paragraph 6(b)(2); and

(2) All poultry carcasses and parts thereof, eggs, litter and refuse have been properly disposed of; and

(3) The premises, buildings and equipment have been cleaned and disinfected and rodent vectors have been eliminated, in accordance with protocol established by the Pennsylvania Department of Agriculture.

(b) A Special Quarantine imposed under paragraph 4 may be released when culture swabs of the subject birds, premises, buildings and equipment are influenza virus negative in two tests at least 30 days apart.

7. Paragraph 8 of the May 16, 1997 General Quarantine Order is revised to read as follows:

The General Quarantine may be removed when investigation, including laboratory testing of tissues and/or environmental samples, reveals no H7 or H5 virus in the Quarantined Area.

8. This Revised General Quarantine Order is effective this 25th day of July, 1997.

SAMUEL E. HAYES, Jr.,  
*Secretary*

[Pa.B. Doc. No. 97-1252. Filed for public inspection August 8, 1997, 9:00 a.m.]

## DEPARTMENT OF BANKING

### Action on Applications

The Department of Banking of the Commonwealth of Pennsylvania, under the authority contained in the act of November 30, 1965 (P. L. 847, No. 356), known as the Banking Code of 1965; the act of December 14, 1967 (P. L. 746, No. 345), known as the Savings Association Code of 1967; the act of May 15, 1933 (P. L. 565, No. 111), known as the Department of Banking Code; and the act of December 19, 1990 (P. L. 834, No. 198), known as the Credit Union Code, has taken the following action on applications received for the week ending July 29, 1997.

### BANKING INSTITUTIONS

#### Charter Applications

<i>Date</i>	<i>Name of Bank</i>	<i>Location</i>	<i>Action</i>
7-23-97	United Asian Bank Philadelphia Philadelphia County <i>Correspondent:</i> Patrick G. Oakes, Esq. Saul, Ewing, Remick & Saul 3800 Centre Square West Philadelphia, PA 19102	1010 Arch Street Philadelphia Philadelphia County	Filed

#### Consolidations, Mergers and Absorptions

<i>Date</i>	<i>Name of Bank</i>	<i>Location</i>	<i>Action</i>
7-28-97	Northwest Savings Bank, Warren, and Northwest Interim Savings Bank I, Warren Surviving Institution— Northwest Savings Bank, Warren	Warren	Filed

Subject merger is being effected solely in connection with the "two-tier" reorganization of Northwest Bancorp, M.H.C., Warren.

#### Branch Applications

<i>Date</i>	<i>Name of Bank</i>	<i>Location</i>	<i>Action</i>
7-24-97	First Commonwealth Bank Indiana Indiana County	Route 220 and Stadium Drive Altoona Blair County	Approved
7-24-97	1st Summit Bank Johnstown Cambria County	1304 William Penn Ave. Johnstown East Taylor Township Cambria County	Approved
7-28-97	Irwin Bank & Trust Company Irwin Westmoreland County	Shop N Save Supermarket Route 136 and Janyce Dr. Greensburg Westmoreland County	Filed

#### Branch Discontinuances

<i>Date</i>	<i>Name of Bank</i>	<i>Location</i>	<i>Action</i>
7-25-97	First Lehigh Bank Walnutport Northampton County	1448 West Broad St. Quakertown Bucks County	Approved

**SAVINGS ASSOCIATIONS**

No activity.

**CREDIT UNIONS****Conversions**

<i>Date</i>	<i>Name of Credit Union</i>	<i>Location</i>	<i>Action</i>
7-28-97	White Rose Postal Employees Federal Credit Union York York County		
	<i>To:</i>		
	White Rose Credit Union York York County	3498 Industrial Dr. York York County	Approved

Represents conversion from a Federally-chartered credit union to a State-chartered credit union.

RICHARD C. RISHEL,  
*Secretary*

[Pa.B. Doc. No. 97-1253. Filed for public inspection August 8, 1997, 9:00 a.m.]

## DEPARTMENT OF EDUCATION

### Eisenhower Postsecondary Grant Application Guidelines

Applications from Pennsylvania nonprofit organizations, which have previously conducted successful mathematics and/or science professional development activities, and Pennsylvania institutions of higher education will be accepted for professional development programs specially designed to improve teaching and learning in mathematics and science education in this Commonwealth. Grant awards will be funded with higher education money authorized by Title II—Dwight D. Eisenhower Professional Development Program—The Improving America's Schools Act of 1994 (P. L. 103-382). Awards are contingent upon receipt of the Federal appropriation for the Dwight D. Eisenhower Professional Development Program. Pennsylvania has \$303,908 available for competition.

Copies of the Eisenhower Postsecondary Grant Applications (EPGA) are available from the Issuing Office, which is the sole point of contact for the guidelines: Division of Program Services, Bureau of Postsecondary Services, Department of Education, 333 Market Street, Harrisburg, PA 17126-0333, (717) 772-3623; TDD (717) 783-8445.

A preproposal conference is scheduled for Monday, September 15, 1997 at 10 a.m. in Heritage Room B, Lobby Level at 333 Market Street, Harrisburg. If special accommodations are required to participate in the preproposal conference, contact the Division of Program Services. Written questions are to be submitted on the form accompanying the EPGA guidelines and must be received by September 10, 1997.

Applications submitted in response to the EPGA guidelines are due in the Division of Program Services no later than 5 p.m., Friday, October 3, 1997.

EUGENE W. HICKOK,  
*Secretary*

[Pa.B. Doc. No. 97-1254. Filed for public inspection August 8, 1997, 9:00 a.m.]

## DEPARTMENT OF ENVIRONMENTAL PROTECTION

### Applications, Actions and Special Notices

### APPLICATIONS

### APPLICATIONS RECEIVED UNDER THE PENNSYLVANIA CLEAN STREAMS LAW AND THE FEDERAL CLEAN WATER ACT

#### [National Pollution Discharge Elimination System Program (NPDES)]

#### DISCHARGE OF CONTROLLED INDUSTRIAL WASTE AND SEWERAGE WASTEWATER

#### (Part I Permits)

The following parties have applied for an NPDES permit to discharge controlled wastewaters into the surface waters of this Commonwealth. Unless otherwise indicated, on the basis of preliminary review and applications of lawful standards and regulations, the Department of Environmental Protection proposes to issue a permit to discharge, subject to certain effluent limitations and special conditions. These proposed determinations are tentative.

Where indicated, the EPA, Region III, Regional Administrator has waived the right to review or object to this proposed permit action under the waiver provision 40 CFR 123.6E.

Persons wishing to comment on the proposed permit are invited to submit a statement to the office noted above the application within 30 days from the date of this public notice. Comments received within this 30-day period will be considered in the formulation of the final determinations regarding this application. Responses should include the name, address and telephone number of the writer and a concise statement to inform the Department of the exact basis of a comment and the relevant facts upon which it is based. A public hearing may be held if the responsible official considers the public response significant.

Following the 30-day comment period, the Water Management Program Manager will make a final determination regarding the proposed permit. Notice of this determination will be published in the *Pennsylvania Bulletin* at which time this determination may be appealed to the Environmental Hearing Board.

The application and related documents, proposed effluent limitations and special conditions, comments received and other information are on file and may be inspected and arrangements made for copying at the office indicated above the application.

Persons with a disability who wish to attend the hearing and require an auxiliary aid, service or other accommodations to participate in the proceedings should contact the Community Relations Coordinator at (717) 657-4585. TDD users may contact the Department through the Pennsylvania AT&T Relay Service at (800) 654-5984.

#### **Applications for National Pollutant Discharge Elimination System (NPDES) Permit to discharge to State Waters.**

Northeast Regional Office: Water Management Program Manager, 2 Public Square, Wilkes-Barre, PA 18711-0790, (717) 826-2511.

**PA 0051799.** Sewerage. **Lehigh County Community College**, 4525 Education Park Drive, Schnecksville, PA 18078.

This proposed action is for renewal of an NPDES permit to discharge treated sewage into an unnamed tributary of Jordan Creek in North Whitehall Township, **Lehigh County**.

The receiving stream is classified for the following uses: high quality cold water fishery, aquatic life, water supply and recreation.

Effluent requirements were evaluated at the point of discharge.

The proposed effluent limits for Outfall 001 based on a design flow of .036225 mgd are:

<i>Parameter</i>	<i>Monthly Average (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
CBOD <sub>5</sub>		
(5-1 to 10-31)	10	20
(11-1 to 4-30)	20	40
Total Suspended Solids	10	20
NH <sub>3</sub> -N		
(5-1 to 10-31)	3	6
(11-1 to 4-30)	9	18
Dissolved Oxygen	a minimum of 5 mg/l at all times	
Fecal Coliform	200/100 ml as a geometric mean	
pH	6.0—9.0 standard units at all times	
Total Residual Chlorine		
1st Month through 24th Month	monitor and report	monitor and report
25th Month through Expiration Date	1.2	2.8

The EPA waiver is in effect.

**PA 0026476.** Sewerage, **Coaldale-Lansford-Summit Hill Sewer Authority**, 124 West Ridge Street, Lansford, PA 18232.

This proposed action is for renewal of an NPDES permit to discharge treated sewage into Panther Creek in Coaldale Township, **Schuylkill County**.

The receiving stream is classified for the following uses: cold water fishery, aquatic life, water supply and recreation.

For the purpose of evaluating effluent requirements for TDS, NO<sub>2</sub>-NO<sub>3</sub>, fluoride and phenolics, the existing downstream potable water supply (PWS) considered during the evaluation is Pottstown Borough Water Authority located on the Schuylkill River.

The proposed effluent limits for Outfall 001 based on a design flow of 1.65 mgd are:

<i>Parameter</i>	<i>Monthly Average (mg/l)</i>	<i>Weekly Average (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
CBOD <sub>5</sub>	25.0	37.5	50.0
Total Suspended Solids	30.0	45.0	60.0
Dissolved Oxygen	a minimum of 5.0 mg/l at all times		
Fecal Coliform			
(5-1 to 9-30)	200/100 ml as a geometric mean		
(10-1 to 4-30)	2,000/100 ml as a geometric mean		

<i>Parameter</i>	<i>Monthly Average (mg/l)</i>	<i>Weekly Average (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
pH	6.0—9.0 standard units at all times		
Total Residual Chlorine			
1st Month—36th Month	monitor and report		
37th Month—Expiration	0.9		
			2.2

Point sources 002 through 007 serve as combined sewer reliefs necessitated by stormwater entering the sewer system and exceeding the hydraulic capacity of the sewers and/or the treatment plant. In accordance with the Department's EPA approved CSO strategy, a special permit requirement is included in Part C of this permit. The permittee shall develop and submit a plan of action and an implementation schedule as provided for in the permit.

The EPA waiver is not in effect.

**PA 0061328.** Sewerage, **Lake Wynonah Municipal Authority**, Walter Jaros, Co-Chairperson, 100 East Main Street, Schuylkill Haven, PA 17972-1606.

This proposed action is for renewal of an NPDES permit to discharge treated sewage into Plum Creek in South Manheim Township, **Schuylkill County**.

The receiving stream is classified for the following uses: cold water fishery, aquatic life, water supply and recreation.

For the purpose of evaluating effluent requirements for TDS, NO<sub>2</sub>-NO<sub>3</sub>, fluoride and phenolics, the existing/proposed downstream potable water supply (PWS) considered during the evaluation is Pottstown Water Authority on the Schuylkill River.

The proposed effluent limits for Outfall 001 based on a design flow of 0.0325 mgd are:

<i>Parameter</i>	<i>Monthly Average (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
CBOD <sub>5</sub>	25.0	50.0
Total Suspended Solids	30.0	60.0
Fecal Coliform		
(5-1 to 9-30)	200/100 ml as a geometric mean	
(10-1 to 4-30)	2,000/100 ml as a geometric mean	
pH	6.0—9.0 standard units at all times	
Total Residual Chlorine		
Months 1—36	monitor and report	
Months 37—60	1.2	
		2.8

The EPA waiver is in effect.

**PA 0060801.** Sewerage, **Montrose Municipal Authority**, c/o Arthur E. Wermann, P. O. Box 306, Montrose, PA 18801.

This proposed action is for renewal of an NPDES permit to discharge treated sewage into Pettis Creek in Bridgewater Township, **Susquehanna County**.

The receiving stream is classified for the following uses: warm water fishery, aquatic life, water supply and recreation.

For the purpose of evaluating effluent requirements for TDS, NO<sub>2</sub>-NO<sub>3</sub>, fluoride and phenolics, the existing downstream potable water supply (PWS) considered during the evaluation is the Danville water supply located on the North Branch Susquehanna County.

The proposed effluent limits for Outfall 001 based on a design flow of 0.820 mgd are:

<i>Parameter</i>	<i>Monthly Average (mg/l)</i>	<i>Weekly Average (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
CBOD <sub>5</sub>	25.0	40.0	50.0
Total Suspended Solids	30.0	45.0	60.0
NH <sub>3</sub> -N			
(5-1 to 10-31)	2.0	3.0	4.0
(11-1 to 4-30)	6.0	9.0	12.0
Dissolved Oxygen	a minimum of 5.0 mg/l at all times		
Fecal Coliform			
(5-1 to 9-30)	200/100 ml as a geometric mean		
(10-1 to 4-30)	2,000/100 ml as a geometric mean		
pH	6.0—9.0 standard units at all times		
Total Residual Chlorine			
1st Month—36th Month	monitor and report		
37th Month—Expiration	0.02		
			0.05

The EPA waiver is in effect.

*Southcentral Regional Office: Regional Water Management Program Manager, One Ararat Boulevard, Harrisburg, PA 17110, (717) 657-4590.*

**PA 0084450.** Industrial waste, SIC: 9711, **USAG Fort Ritchie—AJCC**, 603 Lakeside Drive, Fort Ritchie, Maryland 21719-4030.

This application is for renewal of an NPDES permit for an existing discharge of treated industrial waste and sewage to dry swales to Miney Branch, in Liberty Township, **Adams County**.

The receiving stream is classified for cold water fisheries, recreation, water supply and aquatic life. The existing downstream potable water supply intake considered during the evaluation was City of Frederick located in Frederick, Maryland. The discharge is not expected to impact any potable water supply.

The proposed effluent limits for Outfall 001 for discharge of stormwater are:

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Maximum Daily (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
Total Recoverable Petroleum Hydrocarbons	XXX	XXX	monitor and report

The proposed effluent limits for Outfall 002 for a design flow of 0.05 mgd are:

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Maximum Daily (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
Flow (mgd)	monitor and report		XXX
pH	6.0—9.0 S. U. at all times		
Temperature			
December—May	XXX	110°F	XXX
June	XXX	95°F	XXX
July	XXX	86°F	XXX
August	XXX	82°F	XXX
September	XXX	72°F	XXX
October	XXX	64°F	XXX
November	XXX	64°F	XXX

The proposed effluent limits for Outfall 003 for a design flow of 0.12 mgd are:

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Maximum Daily (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
Flow (mgd)	monitor and report		
CBOD <sub>5</sub>	XXX	25	30
TSS	XXX	30	60
NH <sub>3</sub> -N			
(5-1 to 10-31)	XXX	3.0	6.0
(11-1 to 4-30)	XXX	9.0	12.0
D. O. (minimum)	5.0 mg/l at all times		
TRC	0.25	XXX	0.84
Fecal Coliform			
(summer)	XXX	200/100 ml	XXX
(winter)	XXX	6,100/100 ml	XXX
pH	6.0—9.0 S. U. at all times		

The EPA waiver is in effect.

*Southwest Regional Office: Water Management Program Manager, 400 Waterfront Drive, Pittsburgh, PA 15222-4745, (412) 442-4000.*

**PA 0092932.** Sewage. **Dante Fashions**, Berardo Maragni, 162 Penn-Adamsburg Road, Jeannette, PA 15644.

This application is for renewal of an NPDES permit to discharge treated sewage from the Dante Fashions Sewage Treatment Plant in Hempfield Township, **Westmoreland County**.

The following effluent limitations are proposed for discharge to the receiving waters, known as an unnamed tributary of Brush Creek, which are classified as a trout stock fishery with existing and/or potential uses for aquatic life, water supply and recreation. The first downstream potable water supply intake from this facility is the Pennsylvania American Water Company, Becks Run Intake, on the Monongahela River.

*Outfall 001:* existing discharge, design flow of 0.005 mgd.

<i>Parameter</i>	<i>Average Monthly</i>	<i>Average Weekly</i>	<i>Maximum Daily</i>	<i>Instantaneous Maximum</i>
CBOD <sub>5</sub>	25			50
Suspended Solids	30			60

<i>Parameter</i>	<i>Concentration (mg/l)</i>			
	<i>Average Monthly</i>	<i>Average Weekly</i>	<i>Maximum Daily</i>	<i>Instantaneous Maximum</i>
Ammonia Nitrogen				
(5-1 to 10-31)	3.2			6.4
(11-1 to 4-30)	8.1			16.2
Fecal Coliform				
(5-1 to 9-30)	200/100 ml as a geometric mean			
(10-1 to 4-30)	2,000/100 ml as a geometric mean			
Total Residual Chlorine				
1st Month—36th Month	monitor and report			
37th Month—Expiration	1.4			3.3
Dissolved Oxygen	not less than 6.0 mg/l			
pH	not less than 6.0 nor greater than 9.0			
The EPA waiver is in effect.				

**PA 0093475.** Sewage. **Findlay Township**, Drawer W, Clinton, PA 15026.

This application is for renewal of an NPDES permit to discharge treated sewage from Maronda Farms STP in Findlay Township, **Allegheny County**.

The following effluent limitations are proposed for discharge to the receiving waters, known as Potato Garden Run, which are classified as a warm water fishery with existing and/or potential uses for aquatic life, water supply and recreation. The first downstream potable water supply intake from this facility is the Midland Borough Municipal Authority.

*Outfall 001:* existing discharge, design flow of .150 mgd.

<i>Parameter</i>	<i>Concentration (mg/l)</i>			
	<i>Average Monthly</i>	<i>Average Weekly</i>	<i>Maximum Daily</i>	<i>Instantaneous Maximum</i>
CBOD <sub>5</sub>	25	38		50
Suspended Solids	30	45		60
Ammonia Nitrogen				
(5-1 to 10-31)	3.5	5.0		7.0
(11-1 to 4-30)	10.5	15.0		21.0
Fecal Coliform				
(5-1 to 9-30)	200/100 ml as a geometric mean			
(10-1 to 4-30)	4,000/100 ml as a geometric mean			
Total Residual Chlorine	0.45			1.5
Dissolved Oxygen	not less than 5.0 mg/l			
pH	not less than 6.0 nor greater than 9.0			

The EPA waiver is in effect.

**PA 0205516.** Sewage. **Westmoreland County Industrial Park Authority**, 601 Courthouse Square, Greensburg, PA 15601.

This application is for renewal of an NPDES permit to discharge treated sewage from Westmoreland Business and Research Park in Upper Burrell Township, **Westmoreland County**.

The following effluent limitations are proposed for discharge to the receiving waters, known as a tributary of Pucketa Creek, which are classified as a trout stocked fishery with existing and/or potential uses for aquatic life, water supply and recreation. The first downstream potable water supply intake from this facility is the Oakmont Water Authority.

*Outfall 001:* existing discharge, design flow of .05 mgd.

<i>Parameter</i>	<i>Concentration (mg/l)</i>			
	<i>Average Monthly</i>	<i>Average Weekly</i>	<i>Maximum Daily</i>	<i>Instantaneous Maximum</i>
CBOD <sub>5</sub>	25			50
Suspended Solids	30			60
Ammonia Nitrogen				
(5-1 to 10-31)	2.0			4.0
(11-1 to 4-30)	3.2			6.4
Fecal Coliform				
(5-1 to 9-30)	200/100 ml as a geometric mean			
(10-1 to 4-30)	2,000/100 ml as a geometric mean			
Total Residual Chlorine				
1st Month—36th Month	monitor and report			
37th Month—Expiration	0.03			.07
Dissolved Oxygen	not less than 6 mg/l			



<i>Parameter</i>	<i>Concentration (mg/l)</i>			<i>Instantaneous Maximum</i>
	<i>Average Monthly</i>	<i>Average Weekly</i>	<i>Maximum Daily</i>	
pH	not less than 6.0 nor greater than 9.0			
Copper				
1st Month—36th Month			monitor and report	
37th Month—Expiration	.012			.03
Lead				
1st Month—36th Month			monitor and report	
37th Month—Expiration	.003			.008
Zinc				
1st Month—36th Month			monitor and report	
37th Month—Expiration	.08			0.2
Chlorodibromomethane				
1st Month—36th Month			monitor and report	
37th Month—Expiration	.0003			.002
Chloroform				
1st Month—36th Month		monitor and report		
37th Month—Expiration	.011			.027
Dichlorobromomethane				
1st Month—36th Month		monitor and report		
37th Month—Expiration	.0006			.0015
Temperature °F				
1st Month—36th Month			Daily Average	
37th Month—Expiration			110	
January			41	
February			41	
March			49	
April 1-15			55	
April 16-30			61	
May 1-15			66	
May 16-31			70	
June 1-15			71	
June 16-30			72	
July 1-31			74	
August 1-15			80	
August 16-31			88	
September 1-15			87	
September 16-30			79	
October 1-15			73	
October 16-31			67	
November 1-15			59	
November 16-30			50	
December 1-31			42	

*Outfall 001:* expanded discharge, design flow of .10 mgd.

<i>Parameter</i>	<i>Concentration (mg/l)</i>			<i>Instantaneous Maximum</i>
	<i>Average Monthly</i>	<i>Average Weekly</i>	<i>Maximum Daily</i>	
CBOD <sub>5</sub>	25			50
Suspended Solids	30			60
Ammonia Nitrogen				
(5-1 to 10-31)	2.0			4.0
(11-1 to 4-30)	3.2			6.4
Fecal Coliform				
(5-1 to 9-30)	200/100 ml as a geometric mean			
(10-1 to 4-30)	2,000/100 ml as a geometric mean			
Total Residual Chlorine	.03			.07
Dissolved Oxygen	not less than 6 mg/l			
pH	not less than 6.0 nor greater than 9.0			
Copper	.012			.03 <sup>(1)</sup>
Lead	.003			.008 <sup>(1)</sup>
Zinc	.077			.19 <sup>(1)</sup>
Chlorodibromomethane	.0006			.0015 <sup>(1)</sup>
Chloroform	.0089			.022 <sup>(1)</sup>
Dichlorobromomethane	.0005			.0013 <sup>(1)</sup>
Temperature °F			Daily Average	
January			40	

<i>Parameter</i>	<i>Concentration (mg/l)</i>			<i>Instantaneous Maximum</i>
	<i>Average Monthly</i>	<i>Average Weekly</i>	<i>Maximum Daily</i>	
February			40	
March			47	
April 1-15			53	
April 16-30			59	
May 1-15			65	
May 16-31			69	
June 1-15			70	
June 16-30			72	
July 1-31			74	
August 1-15			80	
August 16-31			87	
September 1-15			84	
September 16-30			78	
October 1-15			72	
October 16-31			66	
November 1-15			58	
November 16-30			50	
December 1-31			42	

The EPA waiver is in effect.

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*Northwest Regional Office: Water Management Program Manager, 230 Chestnut Street, Meadville, PA 16335-3481, (814) 332-6942.*

**PA 0101028.** Sewage. **DRALTS Corporation**, 11021 Sidehill Road, North East, PA 16428.

This application is for renewal of an NPDES permit to discharge treated sewage to an unnamed tributary to Sixteen Mile Creek in North East Township, **Erie County**. This is an existing discharge.

The receiving water is classified for warm water and migratory fishery, aquatic life, water supply and recreation. For the purpose of evaluating effluent requirements for TDS, NO<sub>2</sub>-NO<sub>3</sub>, fluoride and phenolics, there are no potable water supplies (PWS) between the point of discharge and Lake Erie on Sixteen Mile Creek.

The proposed effluent limits for Outfall 001, based on average design flow of 0.00953 mgd, are:

<i>Parameter</i>	<i>Effluent Concentration (mg/l)</i>	
	<i>Average Monthly</i>	<i>Instantaneous Maximum</i>
CBOD <sub>5</sub>	25	50
Total Suspended Solids	30	60
NH <sub>3</sub> -N		
(5-1 to 10-31)	2.0	4.0
(11-1 to 4-30)	6.0	12.0
Dissolved Oxygen	minimum of 3.0 mg/l at all times	
Total Residual Chlorine	0.5	1.2
Fecal Coliform		
(5-1 to 9-30)	200/100 ml as a geometric average	
(10-1 to 4-30)	2,000/100 ml as a geometric average	
pH	6.0—9.0 standard units at all times	

The EPA waiver is in effect.

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#### **Proposed NPDES Permit Renewal Actions for Minor Sewage Discharges**

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The following parties have applied to renew their current NPDES permits to allow the continued discharge of controlled wastewater into the surface waters of this Commonwealth. The Department of Environmental Protection (Department) has made a tentative determination to renew these permits and proposes to issue them, subject to their current permit effluent limitations, and monitoring and reporting requirements, with appropriate and necessary updated requirements to reflect new or changed regulations and other requirements. The updates may include, but will not be limited to, applicable permit conditions and/or requirements addressing combined sewer overflows (CSOs), municipal sewage sludge management, and total residual chlorine control (TRC). Major changes to or deviations from the terms of the existing permit will be documented and published with the final Department actions.

The EPA, Region III, Regional Administrator has waived the right to review or object to these proposed permit actions under the waiver provision 40 CFR 123.6E.

Persons wishing to comment on the proposed permits are invited to submit a statement to the Field Operations indicated as the office responsible, within 30 days from the date of this public notice. Comments received within this 30-day period will be considered in the formulation of the final determinations regarding these applications and proposed permit actions. Comments should include the name, address and telephone number of the writer and a brief statement to

inform the Field Office of the basis of the comment and the relevant facts upon which it is based. A public hearing may be held if the Field Office considers the public response significant.

Following the 30-day comment period, the Water Management Program Managers will make a final determination regarding the proposed permit action. Notice of this determination will be published in the *Pennsylvania Bulletin* at which time this determination may be appealed to the Environmental Hearing Board.

The permit renewal application and related documents, proposed effluent limitations and special conditions, comments received and other information are on the Department's file. The documents may be inspected at, or a copy requested from, the Field Office that has been indicated above the application notice.

*Southcentral Regional Office: Water Management Program, One Ararat Boulevard, Harrisburg, PA 17110, (717) 657-4590.*

<i>NPDES No.</i>	<i>Facility Name and Address</i>	<i>County and Municipality</i>	<i>Tributary Stream</i>	<i>New Permit Requirements</i>
PA0020591	Mt. Gretna Auth. P. O. Box 322 Mt. Gretna, PA 17064	Lebanon Mt. Gretna Borough	Conewago Creek	TRC
PA0029297	South Mountain Restoration Center 10058 South Mountain Rd. South Mountain, PA 17261-0999	Franklin Quincy Township	Rocky Mtn. Creek	TRC

## **DISCHARGE OF CONTROLLED INDUSTRIAL WASTE AND SEWERAGE WASTEWATER**

### **Applications under the Pennsylvania Clean Streams Law**

#### **(Part II Permits)**

The following permit applications and requests for plan approval have been received by the Department of Environmental Protection (Department).

Persons objecting on the grounds of public or private interest to the approval of an application or submitted plan may file a written protest with the Department at the address indicated above each permit application or plan. Each written protest should contain the following: name, address and telephone number; identification of the plan or application to which the protest is addressed and a concise statement in sufficient detail to inform the Department of the exact basis of the protest and the relevant facts upon which it is based. The Department may conduct a fact-finding hearing or an informal conference in response to any given protest or protests. Each commentator will be notified in writing of the time and place if a hearing or conference concerning the plan, action or application to which the protest relates is held. To insure consideration by the Department prior to final action on permit applications and proposed plans, initial protests and additions or amendments to protests already filed should be filed within 15 calendar days from the date of this issue of the *Pennsylvania Bulletin*. A copy of each permit application and proposed plan is on file in the office indicated and is open to public inspection.

Persons with a disability who wish to attend the hearing and require an auxiliary aid, service or other accommodation to participate in the proceeding should contact the Secretary to the Board at (717) 787-3483. TDD users may contact the Department through the Pennsylvania AT&T Relay Service at (800) 654-5984.

**Applications received for industrial waste and sewerage applications under The Clean Streams Law (35 P. S. §§ 691.1—691.1001).**

*Southcentral Regional Office: Water Management Program Manager, One Ararat Boulevard, Harrisburg, PA 17110, (717) 657-4590.*

**A. 3897401.** Sewage, submitted by **John R. Whary**, 7557 Morningstar Avenue, Harrisburg, PA 17112 in Bethel Township, **Lebanon County** to construct a sewage treatment plant to serve their single family residence was received in the Southcentral Region on July 17, 1997.

**A. 6797407.** Sewage, submitted by **Jackson Township Sewer Authority**, R. D. 4, Box 4308, Spring Grove, PA 17362 in Jackson Township, **York County** to construct the Sprengle Road Pump Station and the Sunnyside Road Pump Station was received in the Southcentral Region on July 18, 1997.

*Southwest Regional Office: Water Management Program Manager, 400 Waterfront Drive, Pittsburgh, PA 15222-4745, (412) 442-4000.*

**A. 6597404.** Sewerage, **Dennis F. Creighton**, R. D. 2, Box 478, New Alexandria, PA 15670. Application for the construction and operation of Sewers and Appurtenances, Pump Stations, Sewage Treatment Plant, Outfall and Headwall, and Stream Crossing to serve the Creighton STP located in the Township of Salem, **Westmoreland County**.

**A. 3297407.** Sewerage, **Edgar Baker**, R. R. 5, Box 584, Blairsville, PA 15717. Application for the construction and operation of a single residence sewage treatment plant to serve the Baker residence located in the Township of Blacklick, **Indiana County**.

**A. 6597403.** Sewerage, **Ligonier Township Sanitary Authority**, 18 Old Lincoln Highway W., Ligonier, PA 15658. Application for the construction and operation of sewer extensions and pumping stations to serve the Ridgeview Village Phase II located in the Township of Ligonier, **Westmoreland County**.

### **INDIVIDUAL PERMITS**

#### **(PAS)**

The following parties have applied for an NPDES permit to discharge stormwater from a proposed construction activity into the surface waters of the Commonwealth. Unless otherwise indicated on the basis of pre-

liminary review and application of lawful standards and regulations, the Department of Environmental Protection proposes to issue a permit to discharge, subject to certain limitations set forth in the permit and special conditions. These proposed determinations are tentative. Limitations are provided in the permit as erosion and sedimentation control measures and facilities which restrict the rate and quantity of sediment discharged.

Where indicated, the EPA, Region III, Regional Administrator has waived the right to review or object to this proposed permit action under the waiver provision 40 CFR 123.24(d).

Persons wishing to comment on the proposed permit are invited to submit a statement to the Regional Office or County Conservation District Office indicated as the responsible office, within 30 days from the date of this public notice. A copy of the written comments should be sent to the County Conservation District Office. Comments reviewed within this 30-day period will be considered in the formulation of the final determinations regarding this application. Responses should include the name, address and telephone number of the writer and a concise statement to inform the Regional Office of the exact basis of a comment and the relevant facts upon which it is based. A public hearing may be held if the Regional Office considers the public response significant.

Following the 30-day comment period, the Water Program Manager will make a final determination regarding the proposed permit. Notice of this determination will be published in the *Pennsylvania Bulletin* at which time this determination may be appealable to the Environmental Hearing Board.

The application and related documents, including the erosion and sedimentation control plan for the construction activity, are on file and may be inspected at the County Conservation District Office or the Department Regional Office indicated above the application.

Persons with a disability who wish to attend the hearing and require an auxiliary aid, service or other accommodation to participate in the proceedings, should contact the specified program. TDD users may contact the Department through the Pennsylvania AT&T Relay Service at (800) 654-5984.

*Northeast Regional Office: Regional Water Management Program Manager, Public Square, Wilkes-Barre, PA 18701, (717) 826-2553.*

*Northampton County Conservation District, District Manager, Greystone Building, R. R. 4, Nazareth, PA 18064, (610) 746-1971.*

**NPDES Permit PAS10U076.** Stormwater. **Robert Cicconne**, P. O. Box 86, Bath, PA 18014 has applied to discharge stormwater from a construction activity located in East Allen Township, **Northampton County**, to Monocacy Creek.

## SAFE DRINKING WATER

### Applications received under the Pennsylvania Safe Drinking Water Act (35 P. S. §§ 721.1—721.17).

*Southeast Regional Office: Sanitarian Regional Manager, Lee Park, Suite 6010, 555 North lane, Conshohocken, PA 19428-2233, (610) 832-6130.*

**4697508.** Public water supply. **Superior Water Company**, Robert A. Braglio, 1030 West Germantown Pike, Fairview Village, PA 19409. This proposal involves the construction of a new well (Well No. 10) at Superior

Water Company's Winding Creek facility. The project consists of adding Well No. 10 to take the place of existing Well No. 3. The pump in Well No. 3 will be moved to Well No. 10. Well No. 3 will be taken out of service and used to refracture Well No. 2 in Douglass Township, **Montgomery County**.

*Northeast Regional Office: Sanitarian Regional Manager, 2 Public Square, Wilkes-Barre, PA 18711-0790, (717) 826-2511.*

**4097504.** Public water supply. **Hillside Condominium**, North Pioneer Ave., Dallas, PA 18612. Dr. Dave Speranza, Pres., Board of Directors. This proposal involves approval for a drilled well, captive air tanks for pressure, disinfection facilities, and distribution of water to 22 units in 5 buildings at Hillside Condominiums located in Dallas Township, **Luzerne County**.

*Engineer: Michael Pasonick, Jr., PE, Michael Pasonick, Jr. Inc.*

*Regional Office: Northcentral Field Operations, Environmental Program Manager, 208 West Third Street, Suite 101, Williamsport, PA 17701.*

**A. 5995501.** The Department issued an operating permit to **Lawrenceville Borough Authority** (P. O. Box 115, Lawrenceville, PA 16929, Lawrenceville Borough, **Tioga County**) for the operation of the recently constructed Lawrenceville Borough Authority water filtration plant.

*Northwest Regional Office: Regional Manager, 230 Chestnut Street, Meadville, PA 16335, (814) 332-6899.*

**A. 1097505.** Public water supply. **Chicora Borough Water Company**, Box J, Chicora, PA 16025. This proposal involves the drilling of a new well (No. 6) as a backup well to the existing water system in Chicora Borough, **Butler County**.

## HAZARDOUS SITES CLEAN-UP

### Under the Act of October 18, 1988

#### Proposed Response under the Hazardous Sites Cleanup Act

##### Nicolet Site

##### Borough of Norristown, Montgomery County

The Department of Environmental Protection (Department), under the authority of the Hazardous Sites Cleanup Act (HSCA) (35 P. S. §§ 6020.101—6020.1305) has proposed an interim response at the Nicolet site.

The Nicolet site is located at 600 and 700 East Washington Street, in the Borough of Norristown, Montgomery County. The site is the location of a former facility of Nicolet, Incorporated.

The Department has determined the following:

At this facility, Nicolet Incorporated (formerly Nicolet Industries, Inc.) produced pipe and boiler insulation, commercial grade asbestos papers, roofing and flooring felt, and underground pipewrap.

Approximately 100 drums are left on site, all but 12 inside the main building. There are also other containers of waste material inside the building. There are five above ground storage tanks outside the building, which have leaked onto the surface of the ground. Wastes inside the buildings are in deteriorated containers without proper spill containment systems.

One drum was observed in the Schuylkill river at the edge of the property.

On April 30, 1997 the Department sampled two drums at the site and found that they contain hazardous wastes.

The records of the Montgomery County Recorder of Deeds list the area of the Nicolet buildings as 116,278 square feet, and of the parcel on which they are located (parcel number 13-00-37996-007) as 3.50 acres (152,460 square feet). The parcel with the former Nicolet parking lot (parcel number 13-00-38000-003) has an area of 4.16 acres (181,210 square feet); that parcel of land is owned by Reading Real Estate Corporation, and was formerly leased to Nicolet. The Nicolet HSCA site comprises both parcels.

Analysis of soil samples taken on site during the Site Investigation by the United States Environmental Protection Agency (EPA) indicated significant soil contamination with heavy metals and with semivolatile organic compounds.

The Department considered the following alternatives in response to conditions at the Nicolet site that pose a threat to public health or safety and the environment.

*Alternative 1: No Action*

HSCA requires the Department to consider the alternative of taking no action. Under this alternative no action would be taken to prevent releases of hazardous substances to the environment at the Nicolet site. This alternative would do nothing to protect public health. Hazardous waste would remain on site, allowing further releases to the environment.

*Alternative 2: Removal of Waste Piles and Containerized Waste and Further Investigation of Site Contamination*

Hazardous wastes in piles and various containers (including drums, bags, cylinders and the like) would be removed from the site and properly disposed. The number of drums is estimated at 100. This alternative would be protective of public health in that it would eliminate a source of potential exposure of the public to hazardous wastes, and prevent further releases of hazardous substances to the environment.

A further investigation would be undertaken by the Department to characterize wastes in tanks, and to identify any additional uncontained wastes or contaminated soil which pose a threat to the public health or safety or to the environment.

*Proposed Response:*

The Department is proposing alternative 2 as previously described. Alternative 1 is not protective of public health or the environment. Alternative 2 is cost effective and is protective of public health and the environment.

*Administrative Record and Public Hearing*

The administrative record, which contains the information that forms the basis for and documents the selection of this response action, is available for public review and comment Monday through Friday from 8 a.m. to 4 p.m. at the DEP office at Lee Park, Suite 6010, 555 North Lane, Conshohocken, PA 19428-2233, (610) 832-6200.

An additional copy of the administrative record is available for review at the Montgomery County Norristown Public Library at 1001 Powell Street, Norristown, PA, (610) 278-5100. Library hours before Labor Day at 9 a.m. to 8 p.m. Mondays through Wednesdays, 9 a.m. to 6 p.m. Thursdays, and 9 a.m. to 5 p.m. on Fridays. Library hours after Labor Day are 9 a.m. to 9 a.m. Mondays through Wednesdays, 9 a.m. to 6 p.m. Thursdays, 9 a.m. to 5 p.m. on Fridays and Saturdays.

In addition, the public will have an opportunity to present oral comments at a public hearing. The public hearing is scheduled for 7 p.m. on Wednesday, September 24, 1997, at the Montgomery County Norristown Public Library (address and telephone number are given in the preceding paragraph). Persons wishing to present oral comments may register on or before the date of the public hearing by contacting John Gerdemann, DEP Community Relations Coordinator, at (610) 832-6228.

Persons with a disability who wish to attend the hearing scheduled for September 24, 1997 and require an auxiliary aid, service or other accommodation to participate in the proceedings, should contact John Gerdemann at (610) 832-6228 or the Pennsylvania AT&T Relay Service at (800) 654-5984 (TDD) to discuss how the Department may accommodate their needs.

The Department is providing this notice under sections 505(b) and 506(b) of HSCA. The date of publication of this notice in the *Pennsylvania Bulletin* initiates the minimum 90-day public comment period on the administrative record, as provided under that act. Hence, the public comment period begins on Saturday, August 9, 1997, and ends on Friday, November 7, 1997.

**Settlement Under the  
Hazardous Sites Cleanup Act  
Industrial Solvents and Chemical Company  
Newberry Township, York County**

The Department of Environmental Protection (Department), under the authority of the Hazardous Sites Cleanup Act (HSCA) (35 P. S. §§ 6020.101–6020.1305), has entered into a proposed consent decree regarding the Department's costs incurred for response activities at the Industrial Solvents and Chemical Company (ISCC) site. This proposed consent decree has been entered into with Columbia Leather and Coatings Company, a defendant in *Pennsylvania Department of Environmental Protection v. Columbia Leather and Coatings Company, Inc., et. al.*, 1:CV-96-1502 (M. D. Pa.) and has been lodged with the court during the 60-day comment period required by section 1113 of HSCA (35 P. S. § 6020.1113).

The ISCC site is a 9-acre parcel of land in Newberry Township, York County, adjacent to Interstate 83. The surrounding area is primarily rural, although residential, commercial and industrial developments are located within a close vicinity of the site. A number of private residential wells have been contaminated by hazardous substances migrating from the ISCC site.

ISCC was involved in the reprocessing of used solvents. Because of violations of hazardous waste requirements, the Department on July 6, 1989, terminated ISCC's authority to operate a hazardous waste treatment and storage facility. The site was abandoned in 1990 when ISCC declared bankruptcy. A total of 996 potentially responsible parties for the hazardous substances located at the ISCC site were identified by the Department.

Because of the threat to human health and the environment posed by the ISCC site, the site was placed on the Pennsylvania Priority List for Remedial Response on October 26, 1991. The Department and a group of approximately 136 cooperating potentially responsible parties have conducted a number of interim actions at the site to address the release or threat of release of hazardous substances. To date, the Department has incurred costs of approximately \$3.1 million to implement and/or oversee these interim actions. A final remedial action for the groundwater and soil at the ISCC site will be selected by the Department and implemented in the future.

The proposed consent decree with Columbia Leather and Coatings Company was lodged with the Federal District Court for the Middle District of Pennsylvania on July 21, 1997. Under the terms of the consent decree Columbia Leather and Coatings will pay the Department a total of \$5,000 over a period of 1 1/2 years to reimburse the Department for its response costs at the ISCC site. The amount of this settlement was based primarily upon Columbia Leather's limited ability to pay the total amount claimed by the Department.

This notice is provided under section 1113 of HSCA (35 P. S. § 6020.1113). The Department will respond to any significant written comments and request that the Court take appropriate action regarding the proposed consent decree. The proposed consent decree that contains the specific terms of the proposed settlement is available for public review and comment. The proposed consent decree can be examined from 8 a.m. to 4 p.m. at the Department's office at One Ararat Boulevard, Harrisburg, PA 17110, by contacting Barbara Faletti at (717) 657-4125. A public comment period on the proposed consent decrees will extend for 60 days from today's date. Persons may submit written comments regarding the proposed consent decree to the Department by October 9, 1997, by submitting them to Barbara Faletti at the above address.

#### **LAND RECYCLING AND ENVIRONMENTAL REMEDATION**

##### **Under Act 2, 1995**

##### **Preamble 1**

#### **Acknowledgment of Notices of Intent to Remediate submitted under the Land Recycling and Environmental Remediation Standards Act (35 P. S. §§ 6026.101—6026.908).**

Sections 302 and 303 of the Land Recycling and Environmental Remediation Standards Act (act) require the Department of Environmental Protection (Department) to publish in the *Pennsylvania Bulletin* an acknowledgment noting receipt of any Notices of Intent to Remediate. An acknowledgment of the receipt of a Notice of Intent to Remediate identifies a site where a person proposes to, or has been required to, respond to a release of a regulated substance at a site. Persons intending to use the background or Statewide health standard to remediate a site must file a Notice of Intent to Remediate with the Department. A Notice of Intent to Remediate filed with the Department provides a brief description of the location of the site, a list of known contaminants at the site, the proposed remediation measures for the site, and a description of the intended future use of the site. A person who demonstrates attainment of one or a combination of the cleanup standards identified under the act will be relieved of further liability for the remediation of the site for any contamination identified in reports submitted to and approved by the Department and shall not be subject to citizen suits or other contribution actions brought by responsible persons not participating in the remediation.

For further information concerning the content of a Notice of Intent to Remediate, contact the Department of Environmental Protection Regional Office under which the notice appears. If information concerning this acknowledgment is required in an alternative form, contact the community relations coordinator at the appropriate regional office listed. TDD users may telephone the Department through the AT&T Relay Service at (800) 654-5984.

The Department has received the following Notices of Intent to Remediate:

*Southcentral Regional Office: Environmental Cleanup Program Manager, One Ararat Boulevard, Harrisburg, PA 17110, (717) 657-4592.*

**Distribution Pole 22188S35376**, East Pennsboro Township, **Cumberland County, Pennsylvania Power and Light Company**, Two North Ninth Street, Allentown, PA 18101, has submitted a Notice of Intent to Remediate site soils contaminated with PCBs. The applicant proposes to remediate the site to meet the Statewide health standard. A summary of the Notice of Intent to Remediate was reported to have been published in Harrisburg *Patriot News* on June 17, 1997. This corrects a notice published in the July 19, 1997, *Pennsylvania Bulletin* which referenced an incorrect pole number.

**Former Olivetti Supplies, Inc. Main Building Area**, Susquehanna Township, **Dauphin County**. Union Deposit Corporation, 651 East Park Drive, Harrisburg, PA 17111-4153 and Olivetti North America, Inc., 22425 East Appleway Avenue, Liberty Lake, WA 99019-9534, have submitted a Notice of Intent to Remediate site soils contaminated with solvents. The applicants propose to remediate the site to meet the Statewide health standard. A summary of the Notice of Intent to Remediate was reported to have been published in the Harrisburg *Patriot News* on July 17, 1997.

**UGI Utilities**, Steelton Borough and Swatara Township, **Dauphin County**. UGI Utilities, 100 Kachel Boulevard, Suite 400, P. O. Box 12677, Reading, PA 19612 has submitted a Notice of Intent to Remediate site groundwater contaminated with BTEX. The applicant proposes to remediate the site to meet the Statewide health standard. A summary of the Notice of Intent to Remediate was reported to have been published in the Harrisburg *Patriot News* on July 11, 1997.

#### **LAND RECYCLING AND ENVIRONMENTAL REMEDATION**

##### **Under Act 2, 1995**

##### **Preamble 2**

#### **Acknowledgment of Notices of Intent to Remediate submitted under the Land Recycling and Environmental Remediation Standards Act (35 P. S. §§ 6026.101—6026.908).**

Sections 304 and 305 of the Land Recycling and Environmental Remediation Standards Act (act) require the Department of Environmental Protection (Department) to publish in the *Pennsylvania Bulletin* an acknowledgment noting receipt of any Notices of Intent to Remediate. An acknowledgment of the receipt of a Notice of Intent to Remediate is used to identify a site where a person proposes to, or has been required to, respond to a release of a regulated substance at a site. Persons intending to use a site-specific standard or who intend to remediate a site in a Special Industrial Area must file a Notice of Intent to Remediate with the Department. A Notice of Intent to Remediate filed with the Department provides a brief description of the location of the site, a list of known contaminants at the site, the proposed remediation measures for the site and a description of the intended future use of the site. A person who demonstrates attainment of one or a combination of the cleanup standards identified under the act will be relieved of further liability for the remediation of the site for any contamination identified in reports submitted to and

approved by the Department and shall not be subject to citizen suits or other contribution actions brought by responsible persons not participating in the remediation.

Under sections 304(n)(1)(ii) and 305(c)(2) of the act, there is a 30-day public and municipal comment period for sites proposed for remediation using a site-specific cleanup standard, in whole or in part, and for sites determined to be located in Special Industrial Areas. This period begins when a summary of the Notice of Intent to Remediate is published in a newspaper of general circulation in the area by the person conducting remediation. For the sites identified below, a municipality may request to be involved in the development of the remediation and reuse plans for the site if the request is made within 30 days of the date specified below. During this comment period, a municipality may request that the person identified below, as the remediator of a site, develop and implement a public involvement plan. Requests to be involved, and comments, should be directed to the remediator of a site.

For further information concerning the content of a Notice of Intent to Remediate, please contact the Department of Environmental Protection Regional Office under which the notice appears. If information concerning this acknowledgment is required in an alternative form, contact the community relations coordinator at the appropriate regional office listed. TDD users may telephone the Department through the AT&T Relay Service at (800) 654-5984.

The Department has received the following Notices of Intent to Remediate:

*Southcentral Regional Office: Environmental Cleanup Program Manager, One Ararat Boulevard, Harrisburg, PA 17110, (717) 657-4592.*

**Former Olivetti Supplies, Inc. Main Building Area, Susquehanna Township, Dauphin County.** Union Deposit Corporation, 651 East Park Drive, Harrisburg, PA 17111-4153 and Olivetti North America, Inc., 22425 East Appleway Avenue, Liberty Lake, WA 99019-9534, have submitted a Notice of Intent to Remediate site groundwater contaminated with solvents. The applicants propose to remediate the site to meet the site-specific standard. A summary of the Notice of Intent to Remediate was reported to have been published in the Harrisburg *Patriot News* on July 17, 1997.

## **SOLID AND HAZARDOUS WASTE BENEFICIAL USE DETERMINATIONS**

**Request for Determination of Applicability received under the Solid Waste Management Act (35 P.S. §§ 6018.101—6018.1003), the Municipal Waste Planning, Recycling and Waste Reduction Act (53 P.S. §§ 4000.101—4000.1904) and residual waste regulations for a general permit to operate residual waste processing facilities and the beneficial use of residual waste other than coal ash.**

*Central Office: Division of Municipal and Residual Waste, 14th Floor, Rachel Carson State Office Building, 400 Market St., Harrisburg, PA 17101-2301.*

Received an application from **RH Sheppard Company, Inc.**, 101 Philadelphia Street, Hanover, PA 17331, for determination of applicability on permit #WMGR019 for use of waste foundry sand as a roadway construction material or as a component or ingredient in concrete or asphalt products. The Department accepted the application as administrative complete on July 18, 1997.

Received an application from **Pole Company, Inc.**, 200 E. Front Street, Nanticoke, PA 18634, for determination of applicability on permit #WMGR017 for beneficial use of drinking water treatment sludge generated by a water supply treatment facility. The Department accepted the application as administrative complete on July 24, 1997.

## **OPERATE WASTE PROCESSING OR DISPOSAL AREA OR SITE**

**Applications submitted under the Solid Waste Management Act (35 P.S. §§ 6018.101—6018.1003) and regulations to operate or close solid waste processing or disposal area or site.**

*Regional Office: Regional Solid Waste Manager, One Ararat Boulevard, Harrisburg, PA 17110.*

**A. 100008. Creswell Landfill, Lancaster County Solid Waste Management Authority** (P. O. Box 4425, Lancaster, PA 17604). Application for major modification to revise the groundwater monitoring plan at a site in Manor Township, **Lancaster County**. Application determined to be administratively complete in the Regional Office July 21, 1997.

*Northwest Regional Office: Regional Solid Waste Manager, 230 Chestnut Street, Meadville, PA 16335-3481, (814) 332-6848.*

**Permit No. 100329. Waste Management Disposal Services, Inc.** (Lake View Landfill), 851 Robison Road East, Erie, PA 16509. Major permit modification application to change corporate name from Waste Management Disposal Services, Inc. to Waste Management of Pennsylvania, Inc., application received in the Regional Office on July 23, 1997. This landfill is located in Summit Township, **Erie County**.

**Permit No. 101187. County Landfill, SR 36, P. O. Box 237, Leeper, PA 16253, located in Farmington Township, Clarion County.** An application to expand and modify the existing active gas management system at the County Landfill was determined to be administratively complete in the Regional Office on July 22, 1997.

**Permit No. 100585. Waste Management Disposal Services of Pennsylvania, Inc.** (Northwest Sanitary Landfill), 1436 West Sunbury Road, West Sunbury, PA 16061. Major permit modification application to redesign disposal cells 6, 7 and 8. Application accepted in the Regional Office on July 16, 1997.

## **PREVIOUSLY UNPERMITTED CLASS OF SPECIAL HANDLING WASTE INFECTIOUS OR CHEMOTHERAPEUTIC WASTE**

**Renewal applications received under the Solid Waste Management Act (35 P.S. §§ 6018.101—6018.1003), the Infectious and Chemotherapeutic Waste Law (35 P.S. §§ 6019.1—6019.6) and regulations for license to transport infectious and chemotherapeutic waste.**

*Bureau of Land Recycling and Waste Management, Division of Hazardous Waste Management, P. O. Box 8471, Harrisburg, PA 17105-8471.*

**Abington Memorial Hospital**, 1200 Old York Road, Abington, PA 19001; Paul Rivers, Safety Officer; License No. **PA-HC 0095**; renewal application received on July 14, 1997.

**Omega Medical Laboratories, Inc.**, 2001 State Hill Road, Wyomissing, PA 19610; George McLeod, Vice President; License No. **PA-HC 0042**; renewal application received on July 15, 1997.

**Contributors to the Pennsylvania Hospital**, 800 Spruce Street, Philadelphia, PA 19107; Carol Purfield, Safety Coordinator; License No. **PA-HC 0118**; renewal application received on July 16, 1997.

## AIR POLLUTION

### OPERATING PERMITS

**Construct, modify or activate air contaminant sources**

**25 Pa. Code § 129.1**

**Applications received for Operating Permits issued under the Air Pollution Control Act (35 P.S. §§ 4001—4015) and regulations to construct, modify or reactivate air contaminant sources.**

*Regional Office: Southeast Regional Office, Bureau of Air Quality, Lee Park, Suite 6010, 555 North Lane, Conshohocken, PA 19428.*

There is a 30-day comment period from this date of publication.

The Department intends to issue an air quality operating permit for the air contaminant sources and associated air cleaning devices described for the specified companies.

Permit: **46-313-017A**  
Source: Caplet Coating Process  
Company: **McNeil Consumer Products**  
Location: Whitemarsh  
County: **Montgomery**

Permit: **23-308-005**  
Source: Roller Mill Grinding System  
Company: **Fluid Energy Processing & Equipment**  
Location: City of Chester  
County: **Delaware**

Permit: **23-315-008**  
Source: No. 17 Paper Machine-Dryer  
Company: **Kimberly-Clark Corporation**  
Location: City of Chester  
County: **Delaware**

Permit: **46-327-010A**  
Source: Vapor Degreaser  
Company: **Tube Methods, Inc.**  
Location: Bridgeport  
County: **Montgomery**

Permit: **46-313-133**  
Source: Portland Cement/Kiln Dust Silos  
Company: **Republic Environmental Systems, Inc.**  
Location: Hatfield  
County: **Montgomery**

Permit: **15-329-003**  
Source: One Stand-by Generator  
Company: **Tanscontinental Gas Pipe Line Corp.**  
Location: East Whiteland  
County: **Chester**

Permit: **15-312-028**  
Source: Gasoline Storage Tank No. 4  
Company: **Sun Pipe Line**  
Location: West Brandywine  
County: **Chester**

Permit: **09-320-037**  
Source: Press 16  
Company: **Webcraft Technologies, Inc.**  
Location: New Britain  
County: **Bucks**

Permit: **09-320-011A**  
Source: Graphic Arts Facility  
Company: **Dunmore Corp.**  
Location: Newtown  
County: **Bucks**

**Applications received for Operating Permits issued under the Air Pollution Control Act (35 P.S. §§ 4001—4015).**

*Regional Office: Southcentral Regional Office, Air Quality Program, One Ararat Boulevard, Harrisburg, PA 17110.*

**05-323-006.** The Department intends to issue an Air Quality Operating Permit to **Creative Pultrusions, Inc.** (P. O. Box 6, Alum Bank, PA 15521) for a Chrome Plating Operation controlled by a PVC Hexmaster Scrubber in West Saint Clair Township, **Bedford County**. The source is subject to 40 CFR 63, Subpart N, National Emission Standards for Chromium Emissions from Hard and Decorative Chromium Electroplating and Chromium Anodizing Tanks.

**22-323-015A.** The Department intends to issue an Air Quality Operating Permit to **RAM Industries, Inc.** (3501 North 6th Street, Harrisburg, PA 17110) for three burn-off ovens, each controlled by an integral thermal afterburner, at their facility located in Susquehanna Township, **Dauphin County**.

**36-2012A.** The Department intends to issue an Air Quality Operating Permit to **Kellogg U.S.A., Inc.** (P. O. Box 3006, Lancaster, PA 17604) for combustion sources at 2050 State Road, East Hempfield Township, **Lancaster County**.

**36-317-222.** The Department intends to issue an Air Quality Operating Permit to **Wilbur Chocolate Company, Inc.** (48 North Broad Street, Lititz, PA 17543) for two sugar grinding and classifying systems, each controlled by a fabric filter collector, in Lititz, **Lancaster County**.

**38-313-013A.** The Department intends to issue an Air Quality Operating Permit to **O'Sullivan Corporation** (1507 Willow Street, Lebanon, PA 17042) for the PVC conveying and calender operations in their Lebanon Plant in Lebanon, **Lebanon County**.

**50-310-001C.** The Department intends to issue an Air Quality Operating Permit to **Pennsy Supply, Inc.** (P. O. Box 3331, Harrisburg, PA 17105) for a cone crusher at their limestone crushing plant in Oliver Township, **Perry County**. The source is controlled by two fabric filter collectors. The source is subject to 40 CFR 60, Supart OOO, Standards of Performance for New Stationary Sources.

*Regional Office: Northcentral Regional Office, Bureau of Air Quality, 208 West Third Street, Suite 101, Williamsport, PA 17701-6448.*

**59-318-002.** The Department intends to issue an operating permit to **Westfield Tanning Company** (360 Church Street, Westfield, PA 16950) for the operation of a harness leather dyeing and treating operating in Westfield Borough, **Tioga County**.

### Notice of Intent to Issue

**Title V Operating Permit  
Permit No. TV-05-05003  
Bedford County**

The Department of Environmental Protection intends to issue a Title V Operating Permit to JLG Industries,



Inc. located in Bedford Township, Bedford County. The Title V Operating Permit is required under 25 Pa. Code, Chapter 127, Subchapter G for major stationary sources.

An appointment to review the application and other pertinent documents at the Southcentral Regional Office may be scheduled by contacting Mary DiSanto at (717) 540-5018 between 8 a.m. and 3:30 p.m., Monday through Friday, except holidays.

Those wishing to comment on the proposed action may contact Kanubhai Patel, Chief, Title V Facilities Section, One Ararat Boulevard, Harrisburg, PA 17110.

Comments may be submitted during the 30-day period immediately following the publication of this notice. Each comment must include the name, address and telephone number of the person submitting the comments along with the reference number of the permit (TV-05-05003).

The Department reserves the right to hold a public hearing on the proposed action based upon the information received during the comment period. The Department will give notice of any scheduled public hearing at least 30 days in advance of the hearing as per 25 Pa. Code § 127.521.

#### **Title V Operating Permit Permit No. TV-28-05012 Franklin County**

The Department of Environmental Protection intends to issue a Title V Operating Permit to Ingersoll Rand Company located in Shippensburg Borough, Franklin County. The Title V Operating Permit is required under 25 Pa. Code Chapter 127, Subchapter G for major stationary sources.

An appointment to review the application and other pertinent documents at the Southcentral Regional Office may be scheduled by contacting Mary DiSanto at (717) 540-5018 between 8 a.m. and 3:30 p.m., Monday through Friday, except holidays.

Those wishing to comment on the proposed action may contact Kanubhai Patel, Chief, Title V Facilities Section, One Ararat Boulevard, Harrisburg, PA 17110.

Comments may be submitted during the 30-day period immediately following the publication of this notice. Each comment must include the name, address and telephone number of the person submitting the comments along with the reference number of the permit (TV-28-05012).

The Department reserves the right to hold a public hearing on the proposed action based upon the information received during the comment period. The Department will give notice of any scheduled public hearing at least 30 days in advance of the hearing as per 25 Pa. Code § 127.521.

## **PLAN APPROVALS**

### **Applications under the Air Pollution Control Act (35 P. S. §§ 4001—4015) and regulations to construct, modify or reactivate air contamination sources.**

*Regional Office: Southcentral Regional Office, Air Quality Program, One Ararat Boulevard, Harrisburg, PA 17110.*

**07-330-004.** Installation of a groundwater extraction and treatment system at a former operations site by **Hamilton Beach/Proctor-Silex** (4421 Waterfront Drive, Glen Allen, VA 23060) in Antis Township, **Blair County**.

*Regional Office: Northcentral Regional Office, Bureau of Air Quality, 208 West Third Street, Suite 101, Williamsport, PA 17701-6448.*

**41-318-032A.** Construction of a surface coating operation (spray booth) by **Textron Lycoming** (652 Oliver Street, Williamsport, PA 17701) in the City of Williamsport, **Lycoming County**.

**14-306-003.** Construction of a bituminous gob-fired CFB boiler and ancillary facilities by **Milesburg Energy, Inc.** (c/o Environmental Power Corporation, 500 Market Street, Suite 1E, Portsmouth, NH 03301) in Milesburg Borough, **Centre County**. This boiler will be subject to the Federal Prevention of Significant Deterioration requirements, Subpart Da of the Federal Standards of Performance for New Stationary Sources and the Department's New Source Review requirements.

**12-399-009A.** Construction of a powdered metal parts oil impregnation/centrifuge unit and associated air cleaning device (an electrostatic precipitator) by **Sinter Metals, Inc.** (R. R. 2, Box 47, Emporium, PA 15834) at Plant #1 in Shippen Township, **Cameron County**.

### **Notice of Plan Approval Application Minor Source**

The following stationary sources have filed a request for a plan approval with the Department of Environmental Protection (Department), Bureau of Air Quality. Persons wishing to file protests or comments on the proposed plan approval have 30 days to submit the protests or comments to the Regional Office at the address listed. Interested persons may also request that a hearing be held concerning the plan approval application by filing a request with the Regional Office stating the reason for the request.

The Department will evaluate and consider all protests and comments received. The Department will, where appropriate, modify the proposed plan approval based on the protests and comments received.

The final plan approval will contain terms and conditions to ensure that the source is constructed and operated in compliance with the Department's regulations contained in 25 Pa. Code Chapters 121 through 143 and the requirements of the Federal Clean Air Act. A notice of the Department's final decision on the proposed plan approval will be published in the *Pennsylvania Bulletin*. Air contaminants emitted from these sources are less than the amounts that would trigger major new source review requirements. For additional information on the following applications contact Devendra Verma, Engineering Services Chief, (814) 332-6940.

*Northwest Regional Office, Bureau of Air Quality Control, 230 Chestnut Street, Meadville, PA 16335.*

**PA-10-001A.** The Department received a plan approval application for installation of an acid fume scrubber system for the #23 shotblast and pickle line by **Armco, Inc.** (P. O. Box 832, Butler, PA 16003) in Butler Township, **Butler County**.

**PA-10-047A.** The Department received a plan approval application for construction of rubber compounding operations by **Mine Safety Appliances Co.** (P. O. Box 429, Pittsburgh, PA 15230) in Forward Township, **Butler County**.

**PA-25-360A.** The Department received a plan approval application for the operation of an existing open top degreaser by **The Electric Materials Co.** (P. O. Box 390,

Northeast, PA 16428) in Northeast, **Erie County**. This source is subject to the requirements defined in 40 CFR Part 63, Subpart T.

## MINING

### CONDUCT COAL AND NONCOAL ACTIVITIES

#### MINING ACTIVITY APPLICATIONS

Applications under the Surface Mining Conservation and Reclamation Act (52 P. S. §§ 1396.1—1396.19a); the Noncoal Surface Mining Conservation and Reclamation Act (52 P. S. §§ 3301—3326); The Clean Streams Law (35 P. S. §§ 691.1—691.1001); the Coal Refuse Disposal Control Act (52 P. S. §§ 30.51—30.66); The Bituminous Mine Subsidence and Land Conservation Act (52 P. S. §§ 1406.1—1406.21). Mining activity permits issued in response to such applications will also address the applicable permitting requirements of the following statutes: the Air Pollution Control Act (35 P. S. §§ 4001—4015); the Dam Safety and Encroachments Act (32 P. S. §§ 693.1—693.27); and the Solid Waste Management Act (35 P. S. §§ 6018.101—6018.1003).

The following permit applications to conduct mining activities have been received by the Department of Environmental Protection (Department). A copy of the application is available for inspection at the District mining office indicated above each application. Where a 401 water quality certification is needed for any aspect of a particular proposed mining activity, the submittal of the permit application will serve as the request for such certification.

Written comments or objections, or requests for informal conferences on applications, may be submitted by any person or any officer or head of any Federal, State or local government agency or authority to the Department at the same address within 30 days of this publication, or within 30 days after the last publication of the applicant's newspaper advertisement, as provided by 25 Pa. Code §§ 77.121—77.123 and 86.31—86.34 (relating to public notices of filing of permit applications, opportunity for comment, and informal conferences).

Where any of the mining activities listed below will have discharges of wastewater to streams, the Department will incorporate NPDES permits into the mining activity permits issued in response to these applications. The NPDES permits will contain, at a minimum, technology-based effluent limitations (as described in the Department's regulations—25 Pa. Code §§ 77.522, 87.102, 88.92, 88.187, 88.242, 89.52 and 90.102) for iron, manganese, suspended solids, settleable solids, alkalinity and pH. In addition to the above, more restrictive effluent limitations, restrictions on discharge volume or restrictions on the extent of mining which may occur will be incorporated into a mining activity permit when necessary for compliance with water quality standards (in accordance with 25 Pa. Code Chs. 93 and 95). Persons or agencies which have requested review of the NPDES permit requirements for a particular mining activity within the above-mentioned public comment period will be provided with a 30-day period to review and submit comments on those requirements.

Written comments or objections should contain the name, address and telephone number of persons submitting comments or objections; application number and a statement of sufficient detail to inform the Department on the basis of comment or objection and relevant facts upon which it is based. Requests for an informal conference must contain the name, address and telephone

number of requestor; application number; a brief summary of the issues to be raised by the requestor at the conference and a statement whether the requestor desires to have the conference conducted in the locality of the proposed mining activities.

*Greensburg District Office, R. D. 2, Box 603-C, Greensburg, PA 15601.*

#### *Coal Applications Received:*

**03960110. Cookport Coal Co., Inc.** (425 Market Street, Kittanning, PA 16201). Application received for commencement, operation and reclamation of a bituminous surface auger mine located in Boggs Township, **Armstrong County**, proposed to affect 59.7 acres. Receiving streams unnamed tributary to South Fork of Pine Creek. A social and economic justification is included. Application received July 25, 1997.

*Knox District Office, P. O. Box 669, Knox, PA 16232.*

**33950107. R & L Coal Corporation** (Box 26, Punxsutawney, PA 15767), revision to an existing bituminous surface strip operation in Warsaw Township, **Jefferson County** affecting 30.0 acres. Receiving streams two unnamed tributaries to Mill Creek. Revision to include 9.5 acres into the surface mine permit for a total of 39.5 acres. Application received July 14, 1997.

**10920113. B & B Coal Mining, Inc.** (R. D. 6, Friendship Plaza, Kittanning, PA 16201), renewal of an existing bituminous surface strip and auger operation in Parker township, **Butler County** affecting 147.9 acres. Receiving streams an unnamed tributary to South Branch Bear Creek and South Branch Bear Creek. Application for reclamation only. Application received July 15, 1997.

**33970106. M. B. Energy, Inc.** (P. O. Box 1319, Indiana, PA 15701-1319), commencement, operation and restoration of a bituminous surface strip and auger mine operation in Henderson and Bell Townships, **Jefferson and Clearfield Counties** affecting 300.0 acres. Receiving streams unnamed tributaries to Laurel Run and Laurel Run, an unnamed tributaries to East Branch Mahoning Creek and East Branch Mahoning Creek all to Mahoning Creek to the Allegheny River. Application received July 10, 1997.

**33970107. Original Fuels, Inc.** (P. O. Box 343, Punxsutawney, PA 15767), commencement, operation and restoration of a bituminous surface strip, auger mine operation in Rose Township, **Jefferson County** affecting 210.8 acres. Receiving streams Eckler Run, an unnamed tributary to Beaver Run and an unnamed tributary to Eckler Run, unnamed tributaries to Smather Run. Application received July 16, 1997.

**33920106. Beverly Hill Coal Company** (60 Campbell Avenue, Clarion, PA 16214), renewal of an existing bituminous surface strip and auger operation in Henderson Township, **Jefferson County** affecting 64.0 acres. Receiving streams an unnamed tributary to East Branch of Mahoning Creek. Application received July 22, 1997.

**16970104. MSM Coal Company, Inc.** (P. O. Box 243, DuBois, PA 15801), commencement, operation and restoration of a bituminous surface strip operation in Clarion Township **Clarion County** affecting 97.5 acres. Receiving streams unnamed tributaries to Brush Run. Application received July 22, 1997.

*McMurray District Office*

**03871303. T.J.S. Mining, Inc.** (R. D. 1, Box 260D, Shelocta, PA 15774), to renew and to revise the permit for the Darmac No. 2 deep mine in Plumcreek Township,

**Armstrong County** to renew and revise permit to include provisions of Act 54, no additional discharge. Application received June 5, 1997.

**32971301. Britt Energies, Inc.** (P. O. Box 515, Indiana, PA 15701), to operate the Josephine No. 3 in Center Township, **Indiana County**, new bituminous deep mine, unnamed tributary to Laurel Run, no additional discharge. Application received June 16, 1997.

**32830701. Pennsylvania Mining Corp.** (Box 367, Ebensburg, PA 15931), to renew the permit for the Greenwich No. 2 Refuse Site in Green Township, **Indiana County**, no additional discharge. Application received June 18, 1997.

**03911302. Rosebud Mining Company** (R. D. 9, Box 379 A, Kittanning, PA 16201), to revise the permit for the Roaring Run Mine in Kiskiminetas Township, **Armstrong County** to add permit and subsidence control plan acres, no additional discharge. Application received June 19, 1997.

**32971302. Rosebud Mining Company** (R. D. 9, Box 379 A, Kittanning, PA 16201), to operate the Parker Mine in Washington Township, **Indiana County**, unnamed tributary to Dutch Run. Application received June 20, 1997.

**03851302. Rosebud Mining Company** (R. D. 1, Box 379A, Kittanning, PA 16201), to renew the permit for the Rosebud No. 3 in Perry Township, **Armstrong County**, no additional discharge. Application received July 8, 1997.

*Pottsville District Office, 5 West Laurel Boulevard, Pottsville, PA 17901-2454.*

**22851601T. Harriman Coal Corporation** (P. O. Box 127, Valley View, PA 17983), transfer of an existing coal preparation plant operation from Underkoffler Coal Service, Inc. in Wiconisco Township, **Dauphin County** affecting 13.0 acres, receiving stream Wiconisco Creek. Application received July 8, 1997.

*Greensburg District Office, R. D. 2, Box 603-C, Greensburg, PA 15601.*

#### *Noncoal Applications Received*

**3174SM10(T). Pennsylvania Power Company** (1 East Washington Street, P. O. Box 891, New Castle, PA 16103). Application received to transfer a noncoal (sand and gravel) surface mining permit currently issued to LaFarge Corporation for a site located in Greene Township, **Beaver County**, affecting 77.6 acres. Receiving streams Ohio River. Application received July 25, 1997.

*Knox District Office, P. O. Box 669, Knox, PA 16232.*

**25970307. Frank Tucci** (R. D. 2, Drakes Mills, Cambridge Springs, PA 16403), commencement, operation and restoration of a gravel operation in Washington Township, **Erie County** affecting 63.3 acres. Receiving streams unnamed tributary to Conneauttee Creek. Application received July 10, 1997.

*Pottsville District Office, 5 West Laurel Boulevard, Pottsville, PA 17901-2454.*

**36910302T. Prospect Aggregates, Inc.** (P. O. Box 7, East Petersburg, PA 17520), transfer of an existing quarry operation from J. Miller Eshleman and Sons, Inc. in West Hempfield Township, **Lancaster County** affecting 125.0 acres, receiving stream unnamed tributary to Chickies Creek. Application received July 3, 1997.

**8275SM1T. Prospect Aggregates, Inc.** (P. O. Box 7, East Petersburg, PA 17520), transfer of an existing quarry operation from J. Miller Eshleman and Sons, Inc.

in West Hempfield Township, **Lancaster County** affecting 46.0 acres, receiving stream unnamed tributary to Chickies Creek. Application received July 3, 1997.

**38870301C3. Tarmac America** (P. O. Box 468, 875 Oxford Road, Hanover, PA 17331), renewal of NPDES Permit #PA0595543 in North Annville and North Londonderry Townships, **Lebanon County** receiving stream Killinger Creek and Quittapahilla Creek. Application received July 7, 1997.

## **APPLICATIONS RECEIVED UNDER SECTION 401: FEDERAL WATER POLLUTION CONTROL ACT**

### **ENCROACHMENTS**

The following permit applications and requests for Environmental Assessment approval and requests for water quality certification have been received by the Department of Environmental Protection.

In addition to permit applications, the Bureau of Dams, Waterways and Wetlands (BDWW) and the Regional Office Soils and Waterways Sections have assumed primary responsibility for processing requests for certification under section 401 of the Federal Water Pollution Control Act (33 U.S.C.A. § 1341(a)), for projects requiring both a Dam Safety and Encroachments Permit, and a United States Army Corps of Engineers (ACOE) permit. Section 401(a) of the Federal Water Pollution Control Act requires the State to certify that the involved projects will not violate the applicable provisions of 33 U.S.C.A. §§ 1301—1303, 1306 and 1307, as well as relevant State requirements. Initial requests for 401 certification will be published concurrently with the BDWW permit application. Persons objecting to approval of a request for certification under section 401 or to the issuance of a Dam Safety or Encroachment Permit, or the approval of Environmental Assessments must submit any comments, suggestions or objections within 30 days of the date of this notice as well as any questions to the Bureau or Field Office indicated as the responsible office.

**Application filed under the Dam Safety and Encroachments Act (32 P. S. §§ 693.1—693.27) and section 302 of the Flood Plain Management Act (32 P. S. § 679.302) and requests for certification under section 401 of the Federal Water Pollution Control Act.**

*Southeast Regional Office, Program Manager, Water Management Program, Lee Park, Suite 6010, 555 North Lane, Conshohocken, PA 19428.*

**E23-363. Encroachment. Glen Mills School**, P. O. Box 137, Glen Mills Rd., Concordville, PA 19331. To place fill material in 1.75 acres of wetlands associated with the construction of the proposed Glen Mills Schools golf course. The project also includes numerous impacts to three unnamed tributaries of Chester Creek (TSF, MF) which flows across the applicant's property. A total of 66 various water obstructions or encroachments are included in the project. These stream and wetland crossings are needed to construct cartway bridges, foot bridges and utility lines. Also proposed are the construction of outfall structures, stream channel relocations, and the excavation or placement of fill within 100-year floodway of Chester Creek and its tributaries and dredging of an existing pond. The site is located along Glen Mills Road (SR 4016), approximately 1 mile east of its intersection with Cheyney Road (S. R. 4015) (West Chester, PA Quadrangle N: 8.75 inches; W: 0.5 inch and Media, PA

Quadrangle N: 9.0 inches; W: 17.0 inches) in Thornbury Township, **Delaware County**.

**E46-778.** Encroachment. **PECO Energy**, 680 Ridge Pike, Plymouth Meeting, PA 19462-1945. To relocate aerial utilities into under ground electrical duct bank systems. The proposed work is associated with the proposed roadway and interchange modification to U.S. Route 202 Section 400 from Swedesford Road to Gulph Road (Valley Forge, PA Quadrangle Start W: 5.0 inches; N: 13.8 inches; End W: 1.6 inches; N: 15.2 inches) in Tredyffrin Township, **Chester County** and Upper Merion Township, **Montgomery County**. Work consists of:

1. To construct and maintain six concrete encased, 6-foot by 2-foot, electrical duct bank utility line stream crossings of an unnamed tributary to Trout Creek (WWF) located at station 213+00 of the proposed Devan Park Drive, situated approximately 800 feet northeast of Old Eagle School Road and Devan Park Drive. This work includes 320 feet of temporary channel relocation.

2. To install and maintain two 48-inch utility line stream crossings under Crow Creek (WWF) located near Station 82+50 of I-76.

This application also includes a request for an Environmental Assessment approval for installing a riser pipe for sediment basin no. 3 in an unnamed tributary of Trout Creek. This riser pipe will be attached to an existing culvert which extends beneath an abandoned railroad embankment.

**E46-780.** Encroachment. **Lower Pottsgrove Township**, 2199 Buchert Rd., Pottstown, PA 19464. To replace an existing deteriorated and inadequate single span, concrete encased steel stringer bridge, spanning Sanatoga Station Road over Sprogels Run (WWF). The proposed single span bridge will be constructed on the same horizontal and vertical alignments. The project proposes to increase the bridge's roadway width from 14 feet 10 inches, to 24 feet, to accommodate increased traffic volumes. The proposed bridge is a 20-foot single span structure with a minimum underclearance of 12 feet, and consists of composite prestressed concrete adjacent box beams with reinforced concrete slab superstructure on reinforced concrete abutments. This bridge is located approximately 850 feet upstream from the confluence of Sprogels Run with the Schuylkill River and south of the intersection of Porter Road with Sanatoga Station Road (Phoenixville, PA Quadrangle N: 20.5 inches; W: 15.4 inches) in Lower Pottsgrove Township, **Montgomery County**.

**E09-756.** Encroachment. **Hickory Ridge Inc.**, 541 Germantown Pike, Plymouth Meeting, PA 19462. To construct and maintain 98 linear feet of 48-inch reinforced concrete culvert and to place and maintain fill within wetlands associated with the construction of Hickory Ridge Drive in and along an unnamed tributary of the Neshaminy Creek (TSF, MF). Total wetland impact from this project is approximately 0.95 acre. This site is located approximately 1,500 feet southwest of the intersection of Upper State Road and Bristol Road (Doyles-town USGS Quadrangle N: 4.8 inches; W: 8.7 inches) in Warrington Township, **Bucks County**.

*Northeast Regional Office: Regional Soils and Waterways Section, 2 Public Square, Wilkes-Barre, PA 18711-0790, (717) 826-5485.*

**Permit No. E45-334.** Encroachment. **Kingswood Lake Association**, 136B Silverspring Road, Kunkletown, PA 18058. To modify and maintain an existing single-span bridge across Chapple Creek (CWF, MF) by replacing the

existing timber beams and concrete deck with 18-inch steel beams and 10-inch concrete deck to provide access to Kingswood Estates. The proposed superstructure will be attached to the existing concrete abutments and have a span of approximately 17 feet and an underclearance of 4 feet. The project is located approximately 0.2 mile north of the intersection S. R. 3003 and T361 (Kunkletown, PA Quadrangle N: 20.6 inches; W: 13.3 inches) in Eldred Township, **Monroe County** (Philadelphia District, Army Corps of Engineers).

**Permit No. E48-260.** Encroachment. **Pennsylvania Department of Transportation**, Engineering District 5-0, 1713 Lehigh Street, Allentown, PA 18103. To remove the existing structure and to construct and maintain a single span bridge having a span of approximately 113 feet and minimum underclearance of approximately 55 feet across an abandoned, flooded quarry. The project is associated with the proposed S. R. 0329 realignment project and is located just south of the existing bridge, along S. R. 0329, Section 04B approximately 0.5 mile west of the intersection of S. R. 0329 and S. R. 3017 (Catasauqua, PA Quadrangle N: 12.8 inches; W: 15.0 inches) in Allen Township, **Northampton County** (Philadelphia District, Army Corps of Engineers).

**Permit No. E52-150.** Encroachment. **Gregory P. Hoeper**, Chauncy Road, Shohola, PA 18458. To dredge and deepen the reservoir area of an existing dam to improve the fish habitat. This project is located along the west side of Township Road T-426, approximately 2,000 feet north of Township Road T-403 (Shohola, PA Quadrangle N: 7.8 inches; W: 7.2 inches) in Shohola Township, **Pike County** (Philadelphia District, Army Corps of Engineers).

**Permit No. E54-236.** Encroachment. **West Penn Township**, R. R. 1, Box 100-D, New Ringgold, PA 17960. To remove the existing structure and to construct and maintain an 84-inch diameter culvert depressed 12 inches in the channel of a Tributary to Lizard Creek (TSF). This project is located on Township Road T-956 (Winter Mountain Drive) 300 feet north of Township Road T-382 (Andreas Road) (Nesquehoning, PA Quadrangle N: 1.3 inches; W: 6.5 inches) in West Penn Township, **Schuylkill County** (Philadelphia District, Army Corps of Engineers).

**Permit No. E54-237.** Encroachment. **Branch Township Board of Supervisors**, P. O. Box 265, Llewellyn, PA 17944. To repair and maintain the existing single-span bridge which has a span of approximately 33 feet and an underclearance of approximately 6 feet across the West Branch Schuylkill River (CWF). Repairs consist of beam replacement, lateral bracing, guide rail construction and abutment work. This project is located along Silverton Road (T-553) 0.5 mile south of the town of Llewellyn (Minersville, PA Quadrangle N: 7.5 inches; W: 4.0 inches) in Branch Township, **Schuylkill County** (Philadelphia District, Army Corps of Engineers).

**Permit No. E58-222.** Encroachment. **Cecil and Marilyn Kilmer**, R. R. 1, Box 1130, Nicholson, PA 18446-9415. To maintain the placement of fill in the floodway of the East Branch of the Tunkhannock Creek (CWF) at two separate locations having lengths of 645 linear feet and 750 linear feet for the construction of the Kimaquan Golf Course. This previously constructed project is located along the west side of S. R. 2021, 300 yards north of S. R. 0374 (Lenoxville, PA Quadrangle N: 5.9 inches; W: 8.2 inches) in Lenox Township, **Susquehanna County**. (Baltimore District, Army Corps of Engineers).

*Northcentral Region, Water Management, Soils and Waterways Section, F. Alan Sever, Chief, 208 West Third St., Suite 101, Williamsport, PA 17701.*

**E17-310.** Encroachment. **Sandy Township Supervisors**, P. O. Box 267, DuBois, PA 15801-0267. To construct, operate and maintain an enclosure of an unnamed tributary to Beaver Run that will provide access to an industrial development. The work shall consist of constructing the stream enclosure with a 48-inch diameter corrugated metal pipe that will have a length of 150-feet. The project is located along the southern right-of-way of SR 0080 approximately 1.1 miles west of the intersection of SR 0255 and SR 0080 (Sabula, PA Quadrangle N: 1.2 inches; W: 14.7 inches) in Sandy Township, **Clearfield County**. Estimated stream disturbance is 190 feet of stream and 0.32 acre of wetland impact; stream classification is Cold Water Fishery.

**E17-311.** Encroachment. **Glyn D. and Mary Powell**, R. R. Box 668H, Houtzdale, PA 16651. The applicant proposes to 1) remove an existing stream enclosure and restore and maintain the channel of an unnamed tributary to Beaver Run; 2) remove and restore 0.13 acre of impacted wetlands associated with an unnamed tributary to Beaver Run; and 3) place and maintain fill in 0.47 acre of wetlands associated with an unnamed tributary to Beaver Run for the development of a commercial facility. As proposed the work shall consist of 1) removing 255.0 linear feet of stream enclosure and constructing 255.0 linear feet of rock lined trapezoidal stream channel 2) removing fill from 0.13 acre of wetland and restoring the wetland cross section and hydrology and 3) placing and maintain fill in 0.47 acre of wetlands. The project is located along the western right-of-way of SR 0053 approximately 0.95 mile north of the intersection of SR 0253 and SR 0053 (Houtzdale, PA Quadrangle N: 13.9 inches; W: 12.9 inches) in Woodward Township, **Clearfield County**. The 0.47 acre of permanently impacted wetlands shall be mitigated with 2.0 acres of replacement wetlands.

**E53-301.** Encroachment. **DCNR**, Bureau of Forestry, P. O. Box 8451, Harrisburg, PA 17105. To replace three existing culverts within the Right Branch of Big Nelson Run and to remove flood debris at two sites between the culvert location. The replacement culvert sizes are 1) Site 1-48 inch diameter  $\times$  40 foot long CMP; 2) Site 2-87 inch  $\times$  63 inch corrugated steel arch culvert  $\times$  38 foot long; 3) Site 3-72 inch CMP  $\times$  38 foot long. The project's first culvert is located along Big Nelson Run Road (T-300) approximately 2 miles from Route 872. The second and third culverts are approximately 0.5 and 2.5 miles upstream from culvert number one (Conrad, PA Quadrangle N: 15.8 inches; W: 15.4 inches) in Sylvania Township, **Potter County**. Estimated stream disturbance is approximately 400 feet of waterway; stream classification is Exceptional Value.

**E59-346.** Encroachment. **The Cowanesque Valley Recreation Association**, R. R. 4, Box 582, Westfield, PA 16950. To realign a section of Jamison Creek back to its original location in order to minimize flooding of the fairway and install riprap at the upstream end of the existing channel. The project is located on the west side of SR 249 approximately 0.6 mile south of SR 249 (Knoxville, PA Quadrangle N: 10.1 inches; W: 14.2 inches) in Westfield Township, **Tioga County**. Estimated stream disturbance is approximately 600 feet with no wetland impacts; stream classification is Warm Water Fishery.

*Southwest Regional Office, Soils and Waterways Section, 400 Waterfront Drive, Pittsburgh, PA 15222-4745, (412) 442-4000.*

**E65-673.** Encroachment. **Hannastown Golf Club**, 121 Blank School Rd., Greensburg, PA 15601. To place, construct and maintain the following structures as part of construction of a 9-hole golf course expansion: (2) separate culvert crossings consisting of concrete elliptical pipes 38 inches  $\times$  60 inches in an unnamed tributary to Jacks Run (WWF); (1) culvert crossing consisting of (2) concrete elliptical concrete pipes 34 inches  $\times$  53 inches in an unnamed tributary to Jacks Run (WWF); and fill in 0.5 acre of wetland (0.37 PEM and 0.13 PSS). The project is located off of Union Cemetery Road (T-798) (Greensburg, PA Quadrangle N: 14.0 inches; W: 4.5 inches) in Hempfield Township, **Westmoreland County**.

**E65-667.** Encroachment. **Municipal Authority of Borough of Smithton**, P. O. Box 350, Smithton, PA 15479. To amend Permit Application No. E65-667 to construct and maintain approximately 11,000 L.F. of sanitary sewers and a treatment facility to include the relocation of approximately 113 feet of an unnamed tributary to the Youghiogheny River located along SR 981, west of the intersection of SR 981 and T-372 (Smithton, PA Quadrangle N: 5.7 inches; W: 16.5 inches) in Smithton Borough, **Westmoreland County**.

*Northwest Regional Office: Soils and Waterways Section, 230 Chestnut Street, Meadville, PA 16335-3481, (814) 332-6942.*

**E24-202.** Encroachment. **Spring Creek Township**, S. R. 2, Box 179, Ridgway, PA 15853. To repair and maintain the existing Elk County Bridge No. ST-66 on T-301 across Spring Creek (HQ-CWF, Trout stocked). This project will include repairs to the damaged portions of the superstructure (replace stringers and deck) so the bridge can be opened to traffic. The project is located across Spring Creek at the confluence of Spring Creek and the Clarion River near the Village of Hallton (Hallton, PA Quadrangle N: 4.5 inches; W: 8.0 inches) located in Spring Creek Township, **Elk County**.

**E62-332.** Encroachment. **Rachel Watson**, Tidioute Trading Post, R. D. 1, Box 97-1A, Tidioute, PA 16351. To construct and maintain a two-or three-inch PVC outfall and natural stone Rip Rap to the Allegheny River (Scenic, WWF) from a Small Flow Sewage Treatment Facility for the Tidioute Trading Post. The outfall will be located on the east bank of the Allegheny River approximately 200 feet west of intersection of S. R. 0062 and S. R. 0337 (Tidioute, PA Quadrangle N: 10.0 inches; W: 5.5 inches) located in Limestone Township, **Warren County**.

## ACTIONS

### FINAL ACTIONS TAKEN UNDER THE PENNSYLVANIA CLEAN STREAMS LAW AND THE FEDERAL CLEAN WATER ACT

#### [National Pollution Discharge Elimination System Program (NPDES)]

#### DISCHARGE OF CONTROLLED INDUSTRIAL WASTE AND SEWERAGE WASTEWATER

#### (Part I Permits)

The Department of Environmental Protection has taken the following actions on previously received permit applications and requests for plan approval and has issued the following significant orders.

Any person aggrieved by this action may appeal, under section 4 of the Environmental Hearing Board Act (35

P.S. § 7514) and 2 Pa.C.S. §§ 501—508 and 701—704 (relating to the Administrative Agency Law), to the Environmental Hearing Board, 400 Market Street Floor 2, P.O. Box 8457, Harrisburg, PA 17105-8457, (717) 787-3483. Appeals must be filed with the Environmental Hearing Board within 30 days of receipt of written notice of this action unless the appropriate statute provides a different time period. Copies of the appeal form and the Board's rules of practice and procedure may be obtained from the Board. The appeal form and the Board's rules of practice and procedure are also available in Braille or on audiotape from the Secretary to the Board at (717) 787-3483. This paragraph does not, in and of itself, create any right of appeal beyond that permitted by applicable statutes and decisional law.

Persons with a disability who wish to attend the hearing and require an auxiliary aid, service or other accommodation to participate in the proceedings, should contact the specified program. TDD users may contact the Department through the Pennsylvania AT&T Relay Service at (800) 654-5984.

**Industrial waste and sewerage actions under The Clean Streams Law (35 P.S. §§ 691.1—691.1001).**

*Southwest Regional Office: Water Management Program Manager, 400 Waterfront Drive, Pittsburgh, PA 15222-4745, (412) 442-4000.*

**Permit No. 9664-S-Amendment No. 2.** Sewerage, **West Mifflin Sanitary Sewer Authority**, 1302 Lower Bull Run Road, West Mifflin, PA 15122-2902. Construction of a Treatment Plant Expansion and Upgrade located

*Outfall 101A (former Outfall 101):*

Parameter	Average Monthly lbs/day	Maximum Daily
Total Suspended Solids	6.5	17
Oil and Grease		4.0

\* Unchanged from the May 3, 1997 notice.

**NPDES Permit No. PA0001406.** Industrial waste, **Braeburn Alloy Steel, Division of CCX, Inc.**, 101 Braeburn Road, Lower Burrell, PA 15068 is authorized to discharge from a facility located at The Braeburn Alloy Steel Plant, City of Lower Burrell, **Westmoreland County** to the Allegheny River.

**NPDES Permit No. PA0003719.** Industrial waste, **LTV Steel Company**, 4650 Second Avenue, Pittsburgh, PA 15207 is authorized to discharge from a facility located at Monongahela Connecting Railroad Company, City of Pittsburgh, **Allegheny County** to the Monongahela River.

**NPDES Permit No. PA0034819.** Industrial waste, **Ametek, Inc.**, Route 519, Eighty Four, PA 15330 is authorized to discharge from a facility located at Ametek Specialty Metals Products Division Plant, North Strabane Township, **Washington County** to Little Chartiers Creek (001) and unnamed tributary to Little Chartiers Creek (002 and 003).

**NPDES Permit No. PA0091774.** Industrial waste, **Kosmos Cement Company**, 200 Neville Road, Pittsburgh, PA 15225 is authorized to discharge from a facility located at Pittsburgh Cement Plant, Neville Township, **Allegheny County** to Back Channel of Ohio River.

**NPDES Permit No. PA0093181.** Industrial waste, **Industrial Waste, Inc.**, P.O. Box 406, Darlington, PA

in the Borough of West Mifflin, **Allegheny County** to serve the Thompson Run Sewage Treatment Plant.

**NPDES Permit No. PA0090948.** Industrial waste, **CBF, Inc.**, Landfill Management, R.D. 1, Box 266, McClellandtown, PA 15458 is authorized to discharge from a facility located at German Township, **Fayette County** to a named tributary of Dunlap Creek.

**NPDES Permit No. PA0217514—Amendment No. 1.** Sewage, **The Alta Group, Inc.**, 195 Hartzell School Road, Fombell, PA 16123-9518 is authorized to discharge from a facility located at Alta Sewage Treatment Plant, Marion Township, **Beaver County**.

**NPDES Permit No. PA0217590.** Sewage, **Pechin Leasing Company, Inc.**, P.O. Box 340, Pechin Road, Dunbar, PA 15431 is authorized to discharge from a facility located at Denbo Marina STP, Centerville Borough, **Washington County** to Monongahela River.

**NPDES Permit No. PA0000647.** Industrial waste, **Crucible Research, A Division of Crucible Materials Corporation**, 6003 Campbells Run Road, Pittsburgh, PA 15205-1022 is authorized to discharge from a facility located at Crucible Research Facility, Robinson Township, **Allegheny County** to Campbells Run.

**NPDES Permit No. PA0001406.** Industrial waste, **Braeburn Alloy Steel, Division of CCX, Inc.**, 101 Braeburn Road, Lower Burrell, PA 15068.

This notice reflects changes from the notice published in the May 3, 1997 *Pennsylvania Bulletin*.

Average Monthly	Average Weekly mg/l	Maximum Daily mg/l	Instantaneous Maximum mg/l
		40*	50*
		10*	13*

16115 is authorized to discharge from a facility located at Darlington Township, **Beaver County** to East Fork State Line Creek.

*Northwest Regional Office: Regional Water Management Program Manager, 230 Chestnut Street, Meadville, PA 16335, (814) 332-6942.*

**NPDES Permit No. PA0102971.** Sewage, **Parsons Mobile Home Court**, 14070 Hill Road, Wattsburg, PA 16442 is authorized to discharge from a facility located in Venango Township, **Erie County**.

**NPDES Permit No. PA0210358.** Sewage, **William T. Bunk, Jr.**, 410 Quaker Hill Rd., Warren, PA 16365 is authorized to discharge from a facility located in Glade Township, **Warren County** to unnamed tributary (Quaker Run) to Conewango Creek.

## INDIVIDUAL PERMITS

### (PAS)

The following NPDES Individual Permits for Discharges of Stormwater from Construction Activities have been issued.

*Southeast Regional Office: Regional Water Management Program Manager, Lee Park, Suite 6010, 555 North Lane, Conshohocken, PA 19428-2233, (610) 832-6130.*

<i>NPDES Permit No.</i>	<i>Applicant Name and Address</i>	<i>County and Municipality</i>	<i>Receiving Stream</i>
PAS10-D082	Stump Associates 6 East Germantown Pike Plymouth Meeting, PA 19462	Warrington Township Bucks County	Unnamed Tributaries to Neshaminy and Mill Creeks
PAS10-D091	The Cutler Group, Inc. 5 Sentry Parkway West Suite 100 Blue Bell, PA 19422	Warwick Twp. Bucks County	Tributary of Neshaminy Creek
PAS10-D092	Riverwoods Assoc. LP 3326 Old York Road Suite B Furlong, PA 18925	New Hope Borough Bucks County	Delaware River Canal and Aquetong Crk.
PAS10-G260	Liberty Property Trust 65 Valley Stream Pky. Great Valley Corporate Ctr. Malvern, PA 19355	Tredyffrin Twp. Chester County	Valley and Little Valley Creeks
PAS10-T084	Perkiomen Valley School District 3 Iron Bridge Drive Collegeville, PA 19426	Skippack Township Montgomery County	Unnamed Tributary to Perkiomen and Skippack Creeks

*Northcentral Region: Water Management, Soils and Waterways Section, F. Alan Sever, Chief, 208 West Third St., Williamsport, PA 17701.*

<i>NPDES Permit No.</i>	<i>Applicant Name and Address</i>	<i>County and Municipality</i>	<i>Receiving Stream</i>
PAS103913	Transcontinental Gas Pipeline Corp. P. O. Box 1396 Houston, TX 77251-1396	Lycoming County Old Lycoming and Loyalsock Twps.	Mill Creek, Millers Run, Grafius Run and Lycoming Creek
PAS106602	NE Hub Partners Two River Bend at Lansdowne 44084 Riverside Pkwy., Suite 340 Leesburg, VA 22075	Tioga County Lawrence, Farmington Twps.	Susquehanna River

*Northwest Regional Office: Regional Water Management Program Manager, 230 Chestnut Street, Meadville, PA 16335-3481, (814) 332-6942.*

<i>NPDES Permit No.</i>	<i>Applicant Name and Address</i>	<i>County and Municipality</i>	<i>Receiving Stream</i>
PAS102303	Leslie Land Company 290 Park Avenue Plaza Meadville, PA 16335	Crawford County Woodcock Township	Woodcock Creek

### **INDIVIDUAL PERMITS (PAR)**

#### **APPROVALS TO USE NPDES GENERAL PERMITS**

The following parties have submitted Notices of Intent (NOI) for Coverage under General NPDES Permits to discharge wastewater into the surface waters of this Commonwealth. The Department of Environmental Protection approves the following coverages under the specified General Permit. This approval is subject to applicable effluent limitations, monitoring and reporting require-

ments and other conditions set forth in the respective General Permit.

The EPA Region III Regional Administrator has waived the right to review or object to this permit action under the waiver provision: 40 CFR 123.24.

The application and related documents, effluent limitations and special conditions, and other information are on file and may be inspected and arrangements made for copying at the contact office noted.

List of NPDES General Permits issued by Department of Environmental Protection:

#### *NPDES General Permit Type*

PAG-1	General Permit For Discharges From Stripper Oil Well Facilities
PAG-2	General Permit For Discharges of Stormwater From Construction Activities
PAG-3	General Permit For Discharges of Stormwater From Industrial Activities
PAG-4	General Permit For Discharges From Single Residence Sewage Treatment Plant
PAG-5	General Permit For Discharges From Gasoline Contaminated Ground Water Remediation Systems
PAG-6	General Permit For Wet Weather Overflow Discharges From Combined Sewer Systems

<i>Facility Location County and Municipality</i>	<i>Permit No.</i>	<i>Applicant Name and Address</i>	<i>Receiving Stream or Body of Water</i>	<i>Contact Office and Telephone No.</i>
Mercer Co. City of Sharon	PAR104330	Consumer Pennsylvania Water Company 665 S Dock Street Box 572 Sharon, PA	Shenango River	Mercer C. D. (412) 662-2242
Montgomery Co. Whitemarsh Twp.	PAR10T300	Andorra Group P. O. Box 727 Conshohocken, PA 19428	Andorra Creek	Montgomery C. D. (610) 489-4506
Montgomery Co. E. Greenville Twp.	PAR10T347	John Wentz Box 315 Palm, PA 18070	UN natural draw	Montgomery C. D. (610) 489-4506
Montgomery Co. U. Pottsgrove Twp.	PAR10T339	Renovations by Design P. O. Box J Newtown Square, PA	Sprogel's Run	Montgomery C. D. (610) 489-4506
Montgomery Co. U. Providence Twp.	PAR10T340	Oaks Assocs/Acorn Develop. 150 S. Warner Road King of Prussia, PA 19406	Perkiomen Creek	Montgomery C. D. (610) 489-4506
Northampton Co. U. Nazareth Twp.	PAR10U068	Nazareth Area School District 8 Center Square Nazareth, PA 18064	Shoenek Creek	Northampton C. D. (610) 746-1971
Northampton Co. Williams Twp.	PAR10U062	John Murray 2375 Morgan Hill Road Easton, PA	Delaware River	Northampton C. D. (610) 746-1971
Northampton Co. L. Saucon Twp.	PAR10U069	Pavex Inc. 4400 Gettysburg Road Camp Hill, PA 17011	Saucon Creek	Northampton C. D. (610) 746-1971
Northumberland Co. Delaware Twp.	PAR104916	Elsie M. Fisher R. D. 3 Watsontown, PA 17777	UNT to Susquehanna River	Northumberland C. D. (717) 988-4224
Northumberland Co. Milton Borough	PAR104917	Milton Area School District 700 Mahoning Street Milton, PA 17847	West Branch Susquehanna River	Northumberland C. D. (717) 988-4224
Clarion County Limestone Township	PAR101515	Bureau of Abandoned Mine Reclamation P. O. Box 149 Ebensburg, PA 15931	Piney Creek	DEP, Northwest Region Water Management Program Manager 230 Chestnut Street Meadville, PA 16335-3481 (814) 332-6942
Luzerne County Hazle Township	PAR122210	Hershey Foods Corporation 14 East Chocolate Avenue Hershey, PA 17033	Black Creek Unnamed Tributary leading to Tomhicken Crk.	Northeast Regional Office Water Management Program 2 Public Square Wilkes-Barre, PA 18711-0790
Northampton County Lower Saucon Township	PAR502205	City of Bethlehem 10 East Church Street Bethlehem, PA 18018	Unnamed Tributary to Saucon Creek	Northeast Regional Office Water Management Program 2 Public Square Wilkes-Barre, PA 18711-0790
Lehigh County	PAR122203	The Stroh Brewery Company 100 River Place Detroit, MI 48207-4291	Iron Run Creek	Northeast Regional Office Water Management Program 2 Public Square Wilkes-Barre, PA 18711-0790
Northampton County Williams Township	PAR502202	Chrin Brothers, Inc. 635 Industrial Drive Easton, PA 18042	Lehigh River	Northeast Regional Office Water Management Program 2 Public Square Wilkes-Barre, PA 18711-0790



<i>Facility Location County and Municipality</i>	<i>Permit No.</i>	<i>Applicant Name and Address</i>	<i>Receiving Stream or Body of Water</i>	<i>Contact Office and Telephone No.</i>
Bradford City McKean County	PAR708304	American Refining Group, Inc. 100 Four Falls Corporate Center Suite 215 West Conshohocken, PA 19428-0818	Tunungwant Creek (Main Stem) and Foster Brook	DEP Northwest Region Water Management 230 Water Street Meadville, PA 16335 (814) 332-6942
Lebanon County Bethel Township	PAG043579	John R. Whary 7557 Morningstar Ave. Harrisburg, PA 17112	Tributary to Swatara Creek	Southcentral Regional Office 1 Ararat Boulevard Harrisburg, PA 17110 (717) 657-4590
Dauphin County West Hanover Township	PAG043580	James Castillo 7052 Fishing Creek Valley Rd. Harrisburg, PA 17112	Fishing Creek	Southcentral Regional Office 1 Ararat Boulevard Harrisburg, PA 17110 (717) 657-4590
Westmoreland County East Huntingdon Township	PAG046117	Samuel C. Davis R. R. 1, Box 206 Scottdale, PA 15683	Jacobs Creek	Southwest Regional Office Water Management Program Manager 400 Waterfront Drive Pittsburgh, PA 15222-4745 (412) 442-4000
Greene County Cumberland Township	PAG046122	Gene M. Virgili R. R. 1, Box 214BB Oak Drive Jefferson, PA 15344	Tributary to South Branch Muddy Creek	Southwest Regional Office Water Management Program Manager 400 Waterfront Drive Pittsburgh, PA 15222-4745 (412) 442-4000
Glade Township Warren County	PAG048435	Mary S. Lowe 599 Quaker Hill Rd. Warren, PA 16365	Hackney Run	DEP Northwest Region Water Management 230 Chestnut St. Meadville, PA 16335 (814) 332-6942
Allegheny County McKees Rocks Borough	PAG056106	Sun Company, Inc. (R & M) 5733 Butler Street Pittsburgh, PA 15201	Chartiers Creek Ohio River	Southwest Regional Office Water Management Program Manager 400 Waterfront Drive Pittsburgh, PA 15222-4745 (412) 442-4000
Westmoreland County Borough of Export	PAG066130	Borough of Export 5821 Washington Avenue Export, PA 15632	Turtle Creek	Southwest Regional Office Water Management Program Manager 400 Waterfront Drive Pittsburgh, PA 15222-4745 (412) 442-4000

## SEWAGE FACILITIES ACT PLAN APPROVAL

### Plan approval granted under the Pennsylvania Sewage Facilities Act (35 P. S. § 750.1—750.20).

*Regional Office: Water Management Program Manager,  
Southcentral Region, One Ararat Boulevard, Harrisburg,  
PA 17110.*

Location: **New Paris Borough, Bedford County,**  
R. D. 2, Box 121, New Paris, PA 15554.

The approved plan provided for construction of a .065 mgd wastewater treatment plant, two pump stations and a collection system to provide public sewer service to New Paris Borough and adjoining portions of Napier Township. Additionally, an onlot disposal system maintenance pro-

gram will be implemented, pending construction of the sewer system. Funding application will be made to the Rural Utility Service (RUS). The Department's review of the sewage facilities update revision has not identified any significant environmental impacts resulting from this proposal. Required NPDES Permits or WQM Permits must be obtained in the name of the municipality or authority as appropriate.

Location: **St. Thomas Township, Franklin County,**  
965 Hade Road, Chambersburg, PA 17201.

The approved plan provided for construction of a .08 mgd wastewater treatment plant and collection system to provide public sewer service to the Edenville area of St. Thomas Township. The interim method of sewage disposal will be continued use of onlot disposal systems with an OLDS Maintenance program. The Department's review of the sewage facilities update revision has not

identified any significant environmental impacts resulting from this proposal. Required NPDES Permits or WQM Permits must be obtained in the name of the municipality or authority as appropriate.

Location: **Juniata Terrace Borough, Mifflin County**, 80 Hudson Avenue, Lewistown, PA 17044.

The approved plan provided for abandoning the existing Juniata Terrace Borough wastewater treatment plant and construction of a new interceptor line. Sewage treatment will be provided by Granville Township wastewater treatment plant. Additionally, portions of the Borough's collection system will be rehabilitated and numerous manhole structures will be replaced. The Department's review of the sewage facilities update revision has not identified any significant environmental impacts resulting from this proposal. Required WQM Permits must be obtained in the name of the municipality or authority as appropriate.

Location: **Bloomfield Borough, Perry County**, P. O. Box 144, New Bloomfield, PA 17068.

The approved plan provided for expansion and upgrade of an existing wastewater treatment plant. The new facility will be located at the site of the existing Bloomfield treatment plant, will use sequencing batch reactor technology, and will be sized for .25 mgd capacity. The Department's review of the sewage facilities update revision has not identified any significant environmental impacts resulting from this proposal. Required NPDES Permits or WQM Permits must be obtained in the name of the municipality or authority as appropriate.

*Southwest Regional Office: Water Management Program Manager, 400 Waterfront Drive, Pittsburgh, PA 15222-4745, (412) 442-4000.*

Location: **State Route 119 Corridor in Bullskin and Connellsville Townships, Fayette County**, from the Coldbrook area of Connellsville Township to the former Ames Complex in Bullskin Township including areas locally known as Poplar Grove, Merit Manor, Moyer, Pennsville and the Pleasant Valley Country Club.

*Project Description:* Approval of an Update Revision to the Official Sewage Facilities Plans of Bullskin Township and Connellsville Township, Fayette County. Project involves the installation of sewerage collection and conveyance facilities to service 754 existing residences in Bullskin Township and 245 residences in Connellsville Township along the State Route 119 Corridor. Sewage flows will be conveyed to and treated at the Connellsville Sewage Treatment Plant. The Department's review of this Sewage Facilities Update Revision has not identified any significant environmental impacts resulting from this proposal.

## SAFE DRINKING WATER

### Actions taken under the Pennsylvania Safe Drinking Water Act (35 P. S. §§ 721.1—721.17).

*Southcentral Regional Office: Sanitarian Regional Manager, One Ararat Boulevard, Harrisburg, PA 17110, (717) 657-4692.*

**Permit No. 3196501.** Public water supply. **Wood-Broad Top-Wells Joint Municipal Authority**, Wood, Broad Top and Wells Townships, **Bedford, Fulton and Huntingdon Counties**, (Thomas Matthews, Chairperson, 3 Bedford Street, Wood, PA 16694), construction of a new rapid sand filtration water treatment facility, transmission main, two water storage tanks and distribution system.

*Northwest Regional Office: Regional Manager, 230 Chestnut Street, Meadville, PA 16335, (814) 332-6899.*

**Permit No. 2596505.** Public water supply. **Albion Borough Municipal Authority**, 15 Smock Avenue, Albion, PA 16401 has been issued a permit for the drilling of two wells (Gage Road and Pomeroy) for use in supplying the Albion Borough water system in Conneaut Township, **Erie County**.

*Type of Facility:* Public water supply.

*Consulting Engineer:* August E. Maas, P. E., Hill Engineering, Inc., 8 Gibson St., North East, PA 16428.

*Permit to Construct Issued:* July 14, 1997.

## LAND RECYCLING AND ENVIRONMENTAL REMEDIATION

### Under Act 2, 1995

#### Preamble 3

The following final reports were submitted under the Land Recycling and Environmental Remediation Standards Act (35 P. S. §§ 6026.101—6026.908).

Provisions of Chapter 3 of the Land Recycling and Environmental Remediation Standards Act (act) require the Department of Environmental Protection to publish in the *Pennsylvania Bulletin* a notice of submission of any final reports. A final report is submitted to document cleanup of a release of a regulated substance at a site to one of the act's remediation standards. A final report provides a description of the site investigation to characterize the nature and extent of contaminants in environmental media, the basis for selecting the environmental media of concern, documentation supporting the selection of residential or nonresidential exposure factors, a description of the remediation performed, and summaries of sampling methodology and analytical results which demonstrate that the remediation has attained the cleanup standard selected.

For further information concerning the final report, contact the Environmental Cleanup Program in the Department of Environmental Protection Regional Office under which the notice of receipt of a final report appears. If information concerning a final report is required in an alternative form, contact the community relations coordinator at the appropriate Regional Office listed. TDD users may telephone the Department through the AT&T Relay Service at (800) 654-5984.

The Department has received the following final report:

*Southeast Regional Office: Environmental Cleanup Program Manager; Lee Park, Suite 6010, 555 North Lane, Conshohocken, PA 19428, (610) 832-5950.*

**PECO Hanover Substation**, Pottstown Borough, **Montgomery County**. Michael F. Heisler, P. E., Environmental Affairs, PECO Energy Co., 2301 Market St., Philadelphia, PA 19101-8699, has submitted a Final Report concerning remediation of site soil and groundwater contaminated with lead, heavy metals, BTEX and polycyclic aromatic hydrocarbons; and groundwater additionally contaminated with solvents. The report is intended to document remediation of the site to meet a combination of site-specific and Statewide health standards.

## SOLID AND HAZARDOUS WASTE

### LICENSE TO TRANSPORT HAZARDOUS WASTE

**Amended license issued under the Solid Waste Management Act (35 P. S. §§ 6018.101—6018.1003) and regulations for license to transport hazardous waste.**

*Bureau of Land Recycling and Waste Management, Division of Hazardous Waste Management, P. O. Box 8471, Harrisburg, PA 17105-8471.*

**Keystone Environmental Services, Inc.**, P. O. Box 9, Temple, PA 19560; License No. **PA-AH 0236**; amended license issued July 17, 1997.

**Hazardous Waste Transporter License suspended under the Solid Waste Management Act (35 P. S. §§ 6018.101—6018.1003) and regulations for license to transport hazardous waste.**

*Bureau of Land Recycling and Waste Management, Division of Hazardous Waste Management, P. O. Box 8471, Harrisburg, PA 17105-8471.*

**CSC Transport, L.L.C.**, 6120 Trumbull Avenue, Detroit, MI 48208; License No. **PA-AH 0552**; license suspended November 28, 1994.

### OPERATE WASTE PROCESSING OR DISPOSAL AREA OR SITE

**Permits issued under the Solid Waste Management Act (35 P. S. §§ 6018.101—6018.1003), the Municipal Waste Planning, Recycling and Waste Reduction Act (53 P. S. §§ 4000.101—4000.1904) and regulations to operate solid waste processing or disposal area or site.**

*Regional Office: Regional Solid Waste Manager, Lee Park, 555 North Lane, Suite 6010, Conshohocken, PA 19428.*

**Permit No. 300825.** **U. S. Steel, Fairless Works**, Fairless Hills, PA 19030, was issued a permit modification approving a closure plan for their Slag Site B residual waste landfill located in Falls Township, **Bucks County**. With the approval of the closure plan, disposal of slag at this site is prohibited. Permit was modified by the Southeast Regional Office on July 22, 1997.

**Permit No. 301308.** **The Conard-Pyle Company**, 372 Rose Hill Road, West Grove, PA 19390-0651, was issued a permit for the closure of their residual waste landfill located in Penn Township, **Chester County**. With the issuance of this closure permit No. 301308, landfilling operations at the facility will cease and permit No. 101240 is revoked. Closure permit was issued by the Southeast Regional Office on July 22, 1997.

**Permit applications denied under the Solid Waste Management (35 P. S. §§ 6018.101—6018.1003) and regulations to operate a solid waste processing or disposal area or site.**

*Southwest Regional Office: Regional Solid Waste Manager, 400 Waterfront Drive, Pittsburgh, PA 15222-4745, (412) 442-4000.*

**Permit ID No. 300683.** **Ambridge Landfill**, Gabriel Sacco, P. O. Box 368, Ridge Road, Ambridge, PA 15003. Operation of a residual waste disposal facility in Ambridge Borough, **Beaver County**. Permit application denied in the Regional Office on July 24, 1997; permit

issued October 23, 1978 and modified July 5, 1984, May 13, 1987 and July 22, 1996 is revoked and the authority to operate under 25 Pa. Code § 287.115(f) is terminated.

## AIR POLLUTION

### OPERATING PERMITS

**Construct, modify or activate air contaminant sources**

**25 Pa. Code § 129.1**

**Operating Permits issued under the Air Pollution Control Act (35 P. S. §§ 4001—4015) and regulations to construct, modify, reactivate or operate air contamination sources and associated air cleaning devices.**

*Northwest Regional Office, Air Quality Program, 230 Chestnut St., Meadville, PA 16335.*

**16-399-007.** The Department has issued an air quality operating permit to **County Landfill, Inc.** (P. O. Box 237, Route 36, Leeper, PA 16233) for the operation of an anaerobic biotower flare in Farmington Township, **Clarion County**.

**25-318-122.** The Department has issued an air quality operating permit to **Union City Chair Co.** (18 Market St., Union City, PA 16438) for the operation of paint booths at Union City, **Erie County**.

**42-313-006C.** The Department has issued an air quality operating permit to **Kane Magnetics International** (700 Elk Avenue, Kane, PA 16735) for the operation of a ferrite magnet mfg. 4 calcining furnace and fabric collector in Kane, **McKean County**.

**42-399-018C.** The Department has issued an air quality operating permit to **Borden Chemical, Inc.** (P. O. Box 7227, Mt. Jewett, PA 16740) for the operation of ten storage tanks in Sergeant Township, **McKean County**.

**42-399-033.** The Department has issued an air quality operating permit to **Borden Chemical, Inc.** (P. O. Box 7227, Mt. Jewett, PA 16740) for the operation of two 25,000 gallon urea formaldehyde resin tanks in Sergeant Township, **McKean County**.

### PLAN APPROVALS

**Plan Approvals issued under the Air Pollution Control Act (35 P. S. §§ 4001—4015) and regulations to construct, modify or reactivate air contamination sources or air cleaning devices.**

*Regional Office: Southcentral Regional Office, Air Quality Program, One Ararat Boulevard, Harrisburg, PA 17110.*

**07-310-022A.** On July 21, 1997, the Department issued a Plan Approval to **A. P. Green Refractories, Inc.** (One Green Boulevard, Mexico, MO 65265-2981) for the construction of a Simpson Model 2UD Mixer controlled by a No. 3 fabric collector at their Sproul Plant in Greenfield Township, **Blair County**.

**07-327-001A.** On July 21, 1997, the Department issued a Plan Approval to **Chicago Rivet and Machine Co., Inc.** Tyrone Division (Industrial Park, Tyrone, PA 16686) for the construction of a batch vapor degreaser in Tyrone Borough, **Blair County**. The source is subject to 40 CFR 63, Subpart T, National Emission Standards for Hazardous Air Pollutants.

**29-3001.** On July 21, 1997, the Department issued a Plan Approval to **JLG Industries, Inc.** (JLG Drive,

McConnellsburg, PA 17233) for the modification of their equipment services division facility located in Ayr Township, **Fulton County**.

**31-310-004C.** On July 23, 1997, the Department issued a Plan Approval to **New Enterprise Stone and Lime Co., Inc.** (P. O. Box 77, New Enterprise, PA 16664) for the construction of a limestone crushing plant controlled by water sprays and a fabric filter at the Orbisonia Quarry in Cromwell Township, **Huntingdon County**. The sources are subject to 40 CFR 60, Subpart OOO, Standards of Performance for New Stationary Sources.

**31-310-019F.** On July 21, 1997, the Department issued a Plan Approval to **New Enterprise Stone and Lime Co., Inc.** (P. O. Box 77, New Enterprise, PA 16664) for the modification of their limestone crushing plant controlled by wet suppression and a fabric collector at their Tyrone Fines Crushing Plant No. 5 in Warriors Mark Township, **Huntingdon County**. These sources are subject to 40 CFR 60, Subpart OOO, Standards of Performance for New Stationary Sources.

**38-313-013A.** On July 21, 1997, the Department issued a Plan Approval to **O'Sullivan Corporation** (1507 Willow Street, Lebanon, PA 17042) for the installation of a PVC pre-blend resin pneumatic conveying system in Lebanon, **Lebanon County**.

*Northwest Regional Office, Air Quality Program, 230 Chestnut Street, Meadville, PA 16335-3481, (814) 332-6940.*

**PA-24-064A.** On July 17, 1997, a Plan Approval was issued to **Quality Components, Inc.** (R. R. 1, Box 300, Ridgway, PA 15853) for the operation of spray paint booths at Ridgway, **Elk County**.

**PA-43-034A.** On July 17, 1997, a Plan Approval was issued to **Dunbar Asphalt Products, Inc.** (P. O. Box 477, Wheatland, PA 16161) for the construction of a bituminous asphalt plant at Wheatland, **Mercer County**.

**PA-43-300A.** On June 25, 1997, a Plan Approval was issued to **Atlas Resources, Inc.** (P. O. Box 611, Moon Township, PA 15108) for the installation of an engine and dehydrator at East Lackawannock Township, **Mercer County**.

**PA-62-153A.** On July 16, 1997, a Plan Approval was issued to **Whirley Industries, Inc.** (6 Harmar St., Warren, PA 16365) for the operation of printing and silk screening operation at Warren, **Warren County**.

## MINING

### CONDUCT COAL AND NONCOAL ACTIVITIES

#### MINING ACTIVITY ACTIONS

Actions on applications under the Surface Mining Conservation and Reclamation Act (52 P.S. §§ 1396.1—1396.31); the Noncoal Surface Mining Conservation and Reclamation Act (52 P.S. §§ 3301—3326); The Clean Streams Law (35 P.S. §§ 691.1—691.1001); the Coal Refuse Disposal Control Act (52 P.S. §§ 30.51—30.66); The Bituminous Mine Subsidence and Land Conservation Act (52 P.S. §§ 1406.1—1406.21). The final action on each application also constitutes action on the request for 401 water quality certification. Mining activity permits issued in response to applications will also address the applicable permitting requirements of the following statutes: the Air Quality Control Act (35 P.S. §§ 4001—4015); the Dam Safety and Encroachments Act (32 P.S. §§ 693.1—693.27); and the Solid Waste Management Act (35 P.S. §§ 6018.101—6018.1003).

*Greensburg District Office, R. D. 2, Box 603-C, Greensburg, PA 15601.*

#### Coal Permits Issued

**03900112R. Canterbury Coal Company** (R. D. 1, Box 119, Avonmore, PA 15618). Renewal issued for continued operation and reclamation of a bituminous surface auger mine with sandstone and shale removal located in Kiskiminetas Township, **Armstrong County**, affecting 74.1 acres. Receiving streams unnamed tributary to Long Run. Renewal application received May 21, 1997. Renewal permit issued July 23, 1997.

**03930108. Mears Enterprises, Inc.** (P. O. Box 157, Clymer, PA 15728). Revision issued to mine within 100 feet of the unnamed tributary to South Fork Pine Creek and slightly reposition Sedimentation Pond A-1 on an existing bituminous surface auger mine located in Wayne and Cowanshannock Townships, **Armstrong County**, affecting 254.0 acres. Receiving streams unnamed tributary to South Fork of Pine Creek. Revision application received June 6, 1997. Revision issued July 23, 1997.

*Knox District Office, P. O. Box 669, Knox, PA 16232.*

**24890107. Senate Coal Mines, Inc.** (One Energy Place, Suite 1500, Latrobe, PA 15650), transfer of an existing bituminous strip, auger and Fly Ash/Bottom Ash Disposal operation from Fairview Coal Company in Horton Township, **Elk County** affecting 38.0 acres. Receiving streams Johnson Run. Application received May 7, 1997. Permit issued July 11, 1997.

**24820107. Senate Coal Mines, Inc.** (One Energy Place, Suite 1500, Latrobe, PA 15650), transfer of an existing bituminous strip and auger operation from Fairview Coal Company in Horton Township, **Elk County** affecting 134.0 acres. Receiving streams unnamed tributary to Brandy Camp Run. Application received May 7, 1997. Permit issued July 11, 1997.

**10860118. C and K Coal Company** (P. O. Box 69, Clarion, PA 16214), renewal of an existing bituminous strip operation in Allegheny Township, **Butler County** affecting 124.0 acres. Receiving streams unnamed tributary to North Branch Bear Creek. Application received May 27, 1997. Permit issued July 23, 1997.

#### McMurray District Office

**04961601. Aliquippa Terminals, Inc.** (390 Glade Mill Rd., Valencia, PA 16059), to operate the Aliquippa Terminals, Inc. Prep Plant in the city of Aliquippa, **Beaver County**. There are no NPDES Discharges proposed with this site. Permit issued July 18, 1997.

*Pottsville District Office, 5 West Laurel Boulevard, Pottsville, PA 17901-2454.*

**40663026C5. Pacton Corporation** (46 Public Square, Suite 600, Wilkes-Barre, PA 18701), correction to an existing surface mine operation to add fly/bottom ash disposal in Hazle Township, **Luzerne County** affecting 285.0 acres, receiving stream none. Correction issued July 22, 1997.

*Knox District Office, P. O. Box 669, Knox, PA 16232.*

#### Noncoal Permits Issued:

**25970304. Erie Aggregates, Inc.** (P. O. Box 10801, Erie, PA 16514-0801), commencement, operation and restoration of a sand and gravel operation in Fairview and McKean Townships, **Erie County** affecting 20.4 acres. Receiving streams unnamed tributary to Elk Creek. Application received March 18, 1997. Permit issued July 22, 1997.

**302432-25970304-E-1. Erie Aggregates, Inc.** (P. O. Box 10801, Erie, PA 16514-0801), application for a stream encroachment to conduct mining activities within 100 feet but no closer than 50 feet to the unnamed tributary to Elk Run in Fairview and McKean Townships, **Erie County**. Receiving streams unnamed tributary to Elk Creek. Application received March 18, 1997. Permit issued July 22, 1997.

*Pottsville District Office, 5 West Laurel Boulevard, Pottsville, PA 17901-2454.*

**6476SM12. N. L. Minich and Sons, Inc.** (730 North College St., Carlisle, PA 17013), transfer of a quarry operation in North Middleton Township, **Cumberland County** affecting 95.6 acres, receiving stream Meetinghouse Run. Transfer issued July 22, 1997.

**6373SM1C. Milestone Materials, Inc.** (P. O. Box 231, Easton, PA 18044-0231), renewal of NPDES Permit #PA0593524 in Montour Township, **Columbia County**, receiving stream unnamed tributary to Montour Run and Montour Run. Renewal issued July 25, 1997.

*Knox District Office, P. O. Box 669, Knox, PA 16232.*  
*General Small Noncoal Authorizations Granted:*

**62970801. John P. Young** (Box 199, Clarendon, PA 16313), commencement, operation and restoration of a small noncoal sand and gravel operation in Mead Township, **Warren County** affecting 5.0 acres. Receiving streams none. Application received June 6, 1997. Permit issued July 22, 1997.

*Pottsville District Office, 5 West Laurel Boulevard, Pottsville, PA 17901-2454.*

**58960810. Jade Brewer** (63 Lake Avenue, Montrose, PA 18801), commencement, operation and restoration of a small quarry operation in Bridgewater Township, **Susquehanna County** affecting 1.0 acre, receiving stream none. Authorization granted July 22, 1997.

**58970820. Arden L. MacGeorge** (R. R. 1, Box 85, Laceyville, PA 18623), commencement, operation and restoration of a small bluestone quarry operation in Jessup Township, **Susquehanna County** affecting 1.0 acre, receiving stream none. Authorization granted July 22, 1997.

**58970840. William R. Carlson** (4903 Cara Court, Chester Springs, PA 19425), commencement, operation and restoration of a small bluestone quarry operation in Springville Township, **Susquehanna County** affecting 1.0 acre, receiving stream none. Authorization granted July 22, 1997.

**58970829. Richard L. Rockefeller** (R. R. 2, Box 425, Rome, PA 18837), commencement, operation and restoration of a small bluestone quarry operation in Middletown Township, **Susquehanna County** affecting 1.0 acre, receiving stream none. Authorization granted July 23, 1997.

**66970801. Lewis E. Wikoski** (R. R. 2, Box 79, Falls, PA 18615), commencement, operation and restoration of a small bluestone quarry operation in Falls Township, **Wyoming County** affecting 1.0 acre, receiving stream none. Authorization granted July 24, 1997.

**66970802. William C. Pickett** (R. R. 2, Box 219, Laceyville, PA 18623), commencement, operation and restoration of a bluestone quarry operation in Braintrim Township, **Susquehanna County** affecting 1.0 acre, receiving stream none. Authorization granted July 25, 1997.

**58970805. Faith Higgins** (R. R. 3, Box 260, Meshoppen, PA 18630), commencement, operation and restoration

of a small bluestone quarry operation in Auburn Township, **Susquehanna County** affecting 1.0 acre, receiving stream none. Authorization granted July 25, 1997.

## **ACTIONS TAKEN UNDER SECTION 401: FEDERAL WATER POLLUTION CONTROL ACT ENCROACHMENTS**

The Department of Environmental Protection has taken the following actions on previously received permit applications, requests for Environmental Assessment approval, and requests for Water Quality Certification under section 401 of the Federal Water Pollution Control Act (33 U.S.C.A. § 1341(a)).

Persons aggrieved by this action may appeal, under section 4 of the Environmental Hearing Board Act (35 P. S. § 7514) and 2 Pa.C.S. §§ 501—508 and 701—704 (relating to the Administrative Agency Law), to the Environmental Hearing Board, Second Floor, Rachel Carson State Office Building, P. O. Box 8457, Harrisburg, PA 17105-8457, (717) 787-3483. TDD users may contact the Board through the Pennsylvania Relay Service, (800) 654-5984. Appeals must be filed with the Environmental Hearing Board within 30 days of receipt of written notice of this action unless the appropriate statute provides a different time period. Copies of the appeal form and the Board's rules of practice and procedure may be obtained from the Board. The appeal form and the Board's rules of practice and procedure are also available in Braille or on audiotape from the Secretary to the Board at (717) 787-3483. This paragraph does not, in and of itself, create any right of appeal beyond that permitted by applicable statutes and decisional law.

**Actions on applications filed under the Dam Safety and Encroachments Act (32 P. S. §§ 693.1—693.27) and section 302 of the Flood Plain Management Act (32 P. S. § 679.302) and sections 5 and 402 of The Clean Streams Law (35 P. S. §§ 691.5 and 691.402) and notice of final action for certification under Section 401 of the Federal Water Pollution Control Act (33 U.S.C.A. § 1341(a)) (Note: Permits issued for Small Projects do not include 401 Certification, unless specifically stated in the description.).**

*Permits Issued and Actions on 401 Certifications:*

*Southeast Regional Office: Program Manager, Water Management Program, Lee Park, Suite 6010, 555 North Lane, Conshohocken, PA 19428.*

**E46-767. Encroachment Permit. Joseph M. and Elizabeth J. Flynn**, 656 Lime House Road, Radnor, PA 19087. To remove an existing roadway culvert consisting of three 48-inch RCP culverts and to construct and maintain a twin 7-foot by 5.5-foot concrete box culvert immediately upstream of the original culvert. The replacement culvert will be located in and along Frog Run. Also to modify the cross-section of the existing stream channel 292 feet upstream and 50 feet downstream of the proposed culvert. A 20-foot long section of grouted rip rap will be placed downstream from the culvert to reduce scour. This site is located at the western end of King Manor Boulevard, approximately 600 feet north from the intersection of Henderson and Gulph Roads (Norristown, PA Quadrangle N: 16.2 inches; W: 14.0 inches) in Upper Merion Township, **Montgomery County**.

*Northeast Regional Office: Regional Soils and Waterways Section, 2 Public Square, Wilkes-Barre, PA 18711-0790, (717) 826-5485.*

**E35-280.** Encroachment. **Clarks Summit Borough**, 304 South State Street, Clarks Summit, PA 18411. To remove the existing structure and to construct and maintain a 218 foot long, 64 inch  $\times$  43 inch corrugated aluminized steel pipe arch stream enclosure in a tributary to Ackerly Creek. The project includes approximately 32 linear feet of concrete U-Channel and 150 linear feet of R5 riprap channel lining. The project is located at the intersection of Center Street and Tributary B (Scranton, PA Quadrangle N: 20.9 inches; W: 11.4 inches) in Clarks Summit Borough, **Lackawanna County**.

**E40-458.** Encroachment. **RHED Development Company**, 240 West Broad Street, Hazleton, PA 18201. To construct and maintain five minor road crossings having a total wetland fill of 0.16 acre and to excavate and/or place fill in 0.05 acre of wetlands for the purpose of constructing stormwater detention basins for Phases III, IV and V of the Meadows at Sugarloaf, a proposed 156-lot residential subdivision. This project is located on the south side of Township Road T-420, 0.75 mile west of S. R. 0093 (Conyngham, PA Quadrangle N: 20 inches; W: 11 inches), in Sugarloaf Township, **Luzerne County**. The permittee is required to provide 0.42 acre of replacement wetlands.

**E40-459.** Encroachment. **PA Department of Transportation, District 4-0**, P. O. Box 111, Scranton, PA 18501. To remove the existing structure and to construct and maintain a stream enclosure of Solomon Creek, consisting of approximately 260 linear feet of a three-cell precast concrete box culvert, having waterway openings of 19.0 feet  $\times$  11.0 feet. The project includes excavation within the channel, extending approximately 150 feet upstream and downstream of the proposed structure, for the purpose of restoring and maintaining the channel invert and capacity. The project is located on S. R. 2002 (Sans Souci Parkway), Section 302, Segment 0100, Offset 0143, at the intersection of S. R. 2002 and S. R. 2001 (St. Mary's Road) (Wilkes-Barre West, PA Quadrangle N: 18.7 inches; W: 7.1 inches), in Hanover Township, **Luzerne County**.

**E45-321.** Encroachment. **Lake Naomi Club**, Route 423, P. O. Box T, Naomi Pines, PA 18350-0620. To place fill in 0.5 acre of wetlands for the purpose of constructing a gravel parking lot to serve the Lake Naomi Club Swimming Pool Complex. The project is located in Lake Naomi Estate at the northwest quadrant of the intersection of Miller Drive and Tanglewood Drive (Pocono Pines, PA Quadrangle N: 20.8 inches; W: 9.4 inches) in Tobyhanna Township, **Monroe County**. The permittee has met the wetland replacement requirement by participating in the Pennsylvania Wetland Replacement Project.

**E45-323.** Encroachment. **Tobyhanna Township**, P. O. Box 880, Pocono Pines, PA 18350. To construct and maintain approximately 3,030 L. F. of sanitary sewer line in wetlands, temporarily impacting approximately 1.4 acres of wetlands at various locations in Tobyhanna Township in the vicinity of Blakeslee Corners; to place fill in a de minimis area of wetlands less than or equal to 0.05 acre for the purpose of constructing Pump Station No. 3 and an associated permanent access road along Cross Country Route F, and to construct and maintain 13 sanitary sewer utility line stream crossings as indicated on the attached list. This work is associated with the Township's proposed sewage collection system and treatment facility to serve the village of Blakeslee and surrounding communities including Greenwood Acres and Camelot Forest. The project is located near the intersec-

tion of S. R. 0115 and S. R. 0940 (Blakeslee, PA Quadrangle N: 17.7 inches; W: 11.0 inches) in Tobyhanna Township, **Monroe County**.

**E45-330.** Encroachment. **Township of Hamilton**, P. O. Box 285, Sciota, PA 18354. To remove the existing structure and construct and maintain a new bridge (previously authorized by Permit No. E45-173), having a span of 28 feet and an underclearance of 3.6 feet across Lake Creek and associated wetlands on East Terrace Drive (T202), approximately 100 feet northeast of the intersection of East Terrace Drive and Golf Drive (Saylorsburg, PA Quadrangle N: 4.1 inches; W: 8.7 inches) in Hamilton Township, **Monroe County**.

*Northcentral Region, Water Management—Soils and Waterways, F. Alan Sever, Chief, 208 West Third St., Williamsport, PA 17701.*

**E18-232.** Encroachment. **Porter Township Supervisors**, c/o Nevin Courter, Chairperson, P. O. Box 57, Lamar, PA 16848. To remove gravel deposition and to construct and maintain rock stream deflectors within the normal high water channel of Fishing Creek for the purpose of flood protection. The proposed work shall consist of 1) removing gravel deposition measuring 360 feet long  $\times$  48 feet wide  $\times$  2 feet deep; 2) removing gravel deposition measuring 300 feet long  $\times$  60 feet wide  $\times$  2 feet deep; and 3) constructing three stream deflectors with R-8 riprap. The project is located along the southern right-of-way of SR 0064 approximately 1.1 miles west of the intersection of SR 0080 and SR 0064 (Beech Creek, PA Quadrangle N: 3.0 inches; W: 2.2 inches) in Porter Township, **Clinton County**. This permit was issued under section 105.13(e) "Small Projects." This permit also includes 401 Water Quality Certification.

**E18-233.** Encroachment. **Porter Township Supervisors**, P. O. Box 57, Lamar, PA 16848. To remove gravel deposition about 2 feet deep, floatable debris, and wood vegetation at five locations in Fishing Creek near Route 64 just south of Lamar, PA (Beech Creek, PA Quadrangle N: 1.49 inches; W: 4.70 inches) in Porter Township, **Clinton County**. This permit was issued under section 105.13(e) "Small Projects." This permit also includes 401 Water Quality Certification.

**E18-234.** Encroachment. **Porter Township Supervisors**, P. O. Box 57, Lamar, PA 16848. To remove an unauthorized fill pad 200 feet in length, and stabilize 40 feet of streambank in the floodway of Fishing Creek near Fishing Creek Road just upstream of the village of Clintondale bridge (Beech Creek, PA Quadrangle N: 3.0 inches; W: 3.0 inches) in Porter Township, **Clinton County**. This permit was issued under section 105.13(e) "Small Projects." This permit also includes 401 Water Quality Certification.

**E59-317.** Encroachment. **NE Hub Partners, L. P.**, 2 Riverbend at Lansdowne, 44084 Riverside Parkway, Suite 340, Leesburg, VA 22075. To construct and maintain a freshwater pumping station approximately 45 feet by 70 feet with an 8 foot by 4 foot rectangular intake 300 feet long within the floodway of Baldwin Creek, WWF, and the Cowanesque Reservoir for the purpose of supplying water to an underground gas storage facility (Tioga, PA Quadrangle N: 175 inches; W: 8.9 inches) in Lawrence Township, **Tioga County**. The total project will permanently impact .27 acre of wetlands, and total temporary impacts on 28.59 acres of wetlands located throughout Farmington, Tioga, Middlebury and Delmar Townships. Included in this application are 46 stream crossings both for road crossings and utility lines permitted under the

Department's General Permit BDWW-GP-8 and General Permit BDWW-GP-5, respectively. There are 45 wetland crossings both for road crossings and utility line permitted under the Department's General Permit BDWW-GP-8 and General Permit BDWW-GP-5 respectively. A total of 9 wetland crossings were addressed under this Joint Permit since the General Permits were not applicable to them.

*Northwest Regional Office: Soils and Waterways Section, 230 Chestnut Street, Meadville, PA 16335-3481, (814) 332-6942.*

**E20-445.** Encroachment. **Crawford County Commissioners**, Courthouse, Meadville, PA 16335. To construct and maintain a prestressed concrete box beam bridge (County No. 31) having a clear, normal span of 75 feet and minimum underclearance of 14.7 feet across Conneaut Creek and raise the approach roadway elevation within the floodplain extending approximately 200 feet from the right (east) abutment on Blood Road (T-885) approximately 1,600 feet west of Pennside Road (T-990) (Beaver Center, PA Quadrangle N: 16.2 inches; W: 3.85 inches) in Spring Township, **Crawford County**. This permit was issued under section 105.13(e) "Small Projects." This permit also includes 401 Water Quality Certification.

**E33-179.** Encroachment. **Municipal Authority of the Borough of Punxsutawney**, 301 East Mahoning Street, Punxsutawney, PA 15767. To construct and maintain a 36-inch diameter stormwater outfall and headwall structure along the north bank of Mahoning Creek within the United States Army Corps of Engineers Flood Control Project approximately 2,000 feet upstream of the S. R. 119 bridge (Punxsutawney, PA Quadrangle N: 12.0 inches; W: 12.9 inches) located in the Borough of Punxsutawney, **Jefferson County**. This permit was issued under section 105.13(e) "Small Projects." This permit also includes 401 Water Quality Certification.

**E33-180.** Encroachment. **Municipal Authority of the Borough of Punxsutawney**, 301 East Mahoning Street, Punxsutawney, PA 15767. To construct and maintain an 18-inch diameter stormwater outfall and headwall structure along the north bank of Mahoning Creek within the United States Army Corps of Engineers Flood Control Project approximately 1,600 feet upstream of the S. R. 436 bridge (Punxsutawney, PA Quadrangle N: 12.0 inches; W: 15.5 inches) in the Borough of Punxsutawney, **Jefferson County**. This permit was issued under section 105.13(e) "Small Projects." This permit also includes 401 Water Quality Certification.

**E33-181.** Encroachment. **Municipal Authority of the Borough of Punxsutawney**, 301 East Mahoning Street, Punxsutawney, PA 15767. To modify, expand and maintain the existing municipal wastewater treatment plant within the 100-year flood plain of Mahoning Creek at the end of Water St. approximately 0.75 mile west of S. R. 436 (Valier, PA Quadrangle N: 12.0 inches; W: 0.1 inch) in the Borough of Punxsutawney, **Jefferson County**. This permit was issued under section 105.13(e) "Small Projects." This permit also includes 401 Water Quality Certification.

**E37-113.** Encroachment. **Lawrence County Commissioners**, 430 Court Street, New Castle, PA 16101. To rehabilitate and maintain the historic McConnell's Mill covered bridge on McConnell's Mill Road (T-415) across Slippery Rock Creek in McConnell's Mill State Park approximately 1 mile south of S. R. 422 (Portersville, PA Quadrangle N: 14.1 inches; W: 6.25 inches) in Slippery Rock Township, **Lawrence County**. This permit was

issued under section 105.13(e) "Small Projects." This permit also includes 401 Water Quality Certification.

**E61-207.** Encroachment. **PA Department of Transportation, District 1-0**, 1140 Liberty Street, Franklin, PA 16323. To install concrete streambed paving 1 foot below the existing streambed, rock riprap scour protection and to maintain the existing bridge having a clear span of 12 feet and an underclearance of 625 feet across Wolf Branch on S. R. 0157, Segment 0070, Offset 2623 approximately 4.3 miles east of S. R. 62 (President, PA Quadrangle N: 3.4 inches; W: 14.2 inches) located in Cranberry Township, **Venango County**. This permit was issued under section 105.13(e) "Small Projects." This permit also includes 401 Water Quality Certification.

**E61-208.** Encroachment. **PA Department of Transportation, District 1-0**, 1140 Liberty Street, Franklin, PA 16323. To install concrete streambed paving 1 foot below the existing streambed, rock riprap scour protection and to maintain the existing bridge having a clear span of 16 feet and an underclearance of approximately 2.3 miles south of S. R. 27 in the Village of Gresham (Titusville South, PA Quadrangle N: 16.3 inches; W: 15.8 inches) located in Cherrytree Township, **Venango County**. This permit was issued under section 105.13(e) "Small Projects." This permit also includes 401 Water Quality Certification.

## DAM SAFETY

**Actions on applications filed under the Dam Safety and Encroachments Act (32 P. S. §§ 693.1—693.27) and section 302 of the Flood Plain Management Act (32 P. S. § 679.302) and sections 5 and 402 of The Clean Streams Law (35 P. S. §§ 691.5 and 691.402) and notice of final action for certification under section 401 of the Federal Water Pollution Control Act (33 U.S.C.A. § 1341(a)).**

### *Permits Issued and Actions on 401 Certification*

*Central Office: Bureau of Waterways Engineering, 400 Market Street, 6th Floor, P. O. Box 8554, Harrisburg, PA 17105-8554, (717) 787-8568.*

**D09-173A.** Dam. **Riverwoods Associates, L. P.** (3326 Old York Road, Suite B, Furlong, PA 18925). To modify Village II at New Hope Dam located across a tributary to Delaware Division Canal in New Hope Borough, **Bucks County**. Modifications will include raising the embankment and placing fill in a 0.7-acre area of the impoundment in order to lower the maximum water depth. This structure will no longer be within the scope of the Dam Safety and Encroachments Act after construction.

### ENVIRONMENTAL ASSESSMENT

#### *Environmental Assessment Approvals and Actions on 401 Certification*

*Central Office: Bureau of Waterways Engineering, 400 Market Street, 6th Floor, P. O. Box 8554, Harrisburg, PA 17105-8554, (717) 787-8568.*

**EA46-028C0.** Environmental Assessment. **Sukonik Development Corporation** (621 E. Germantown Pike, Suite 100, Plymouth Meeting, PA 19401-2454). To construct and maintain three nonjurisdictional dams across a tributary to Perkiomen Creek (TSF) for the purpose of stormwater management at the proposed Colony at Valley Forge subdivision located approximately 2,100 feet northwest of the intersection of Upper Indian Head Road and Lower Indian Head Road (Collegeville, PA Quadrangle N: 4.1 inches; W: 10.7 inches) in Upper Providence Township, **Montgomery County**.

## SPECIAL NOTICES

### PUBLIC HEARING

The Department of Environmental Protection will hold a public hearing to receive testimony and comments on a major permit modification for installation of equipment designed to beneficially utilize landfill gas for leachate reduction and to supply electrical power at the existing permitted Dauphin Meadows Landfill.

The hearing will be held on Wednesday, September 10, 1997, at the Millersburg Area High School Auditorium in Millersburg, PA beginning at 7 p.m.

Persons intending to testify at the hearing should contact Mary Ann Fischer at (717) 541-7969 on or before September 5, 1997. Persons unable to attend the hearing may submit written testimony before September 20, 1997 to Mary Ann Fischer at One Ararat Boulevard, Harrisburg, PA 17110.

All testimony should be to the point. Each individual will have up to 10 minutes for his/her presentation. To ensure that all speakers have a fair and equal opportunity to present their testimony, relinquishing of time will be prohibited. Further details relating to the procedures to be followed at the hearing will be outlined at the beginning of the proceedings.

An appointment may be scheduled to review the permit application at the Southcentral Regional Office in Harrisburg by contacting Mary DiSanto at (717) 540-5018 between 8 a.m. and 4 p.m., Monday through Friday.

Persons with a disability who wish to attend the hearing but require an auxiliary aid, service or other accommodations to participate in the proceedings, should contact the Department for assistance. TDD users may use the AT&T Relay Service at (800) 654-5984.

**Recycling Grant Awards under the Municipal Waste Planning, Recycling and Waste Reduction Act (53 P. S. §§ 4000.101—4000.1904).**

The Department of Environmental Protection announces the following grants to municipalities for recycling programs under section 902 of the Municipal Waste Planning, Recycling and Waste Reduction Act (Act 101) (53 P. S. § 4000.902).

Grant funds are used to develop and implement recycling programs. Municipalities and counties are eligible for up to 90% funding of approved recycling program costs. Municipalities considered financially distressed under the Financially Distressed Municipalities Act (53 P. S. §§ 117.01—117.501), are eligible to receive funding for an additional 10% of approved costs. All grant awards are predicated on the receipt of recycling fees required by sections 701 and 702 of Act 101, and the availability of monies in the Recycling Fund.

This notice includes nine Public-Private Partnership Recycling Grants in which grant funds are offered to local governments on behalf of private sector or not-for-profit entities. These entities cooperate with local governments to enhance recycling, processing and manufacturing capacity for source separated recyclable materials including clear glass, colored glass, aluminum, steel and bimetallic cans, high-grade office paper, newsprint, corrugated paper, plastics and other marketable grades of paper. Facilities and equipment funded under this program remain the property of the local government grantee for their useful life. This program has been discontinued by the Department and has been replaced by a low-interest Recycling Market Development Loan Fund.

Inquiries regarding the grant offerings or the Recycling Market Development Loan Fund should be directed to Carl Hursh, Chief of Recycling and Markets, Department of Environmental Protection, Bureau of Land Recycling and Waste Management, Division of Waste Minimization and Planning, Rachel Carson State Office Building, P. O. Box 8472, Harrisburg, PA 17105-8472.

### Act 101 § 902 Recycling Grants

	<i>Applicant</i>	<i>Project Type</i>	<i>Grant Award</i>
	<i>Southeast Region</i>		
1	Bucks County	Community College Recycling Program	\$ 6,523
2	Bristol Township Bucks County	Wood Recycling Equipment	\$16,541
3	Lower Makefield Township Bucks County	Tub Grinder Accessories	\$67,500
4	Morrisville Borough Bucks County	Yardwaste Composting Site Improvements	\$ 4,478
5	Penndel Borough Bucks County	Curbside Recycling Containers	\$ 3,369
6	Perkasie Borough Bucks County	Wood Recycling Equipment	\$19,755
7	Quakertown Borough Bucks County	Leaf Vacuum	\$40,500
8	East Bradford Township Chester County	Wood Recycling Equipment and Education	\$18,791
9	East Brandywine Twp. Chester County	Curbside Recycling Containers	\$17,235
10	East Pikeland Township Chester County	Wood Recycling Equipment	\$18,000



## NOTICES

	<i>Applicant</i>	<i>Project Type</i>	<i>Grant Award</i>
	<i>Southeast Region</i>		
11	Phoenixville Borough Chester County	Leaf Vacuums and Education	\$47,898
12	South Coatesville Borough Chester County	Curbside Recycling Truck	\$59,382
13	Valley Township Chester County	Curbside Recycling Truck, Education and Wood Recycling Equipment	\$72,860
14	West Grove Borough Chester County	Curbside Recycling Containers	\$ 8,334
15	Newtown Township Delaware County	Leaf Loader, Curbside Recycling Containers and Education	\$24,519
16	Conshohocken Borough Montgomery County	Curbside Recycling Truck	\$89,595
17	East Norriton Township Montgomery County	Yardwaste Compost Turner	\$73,980
18	Rockledge Borough Montgomery County	Curbside Recycling Containers and Recycling Education	\$ 3,163
19	Towamencin Township Montgomery County	Yardwaste Tub Grinder	\$75,991
20	Upper Dublin Township Montgomery County	Yardwaste Collection Truck and Containers	\$158,715
21	Whitpain Township Montgomery County	Wood Recycling Equipment and Education	\$32,390
22	Philadelphia City	Recycling Education and Commercial Recycling Containers	\$360,000
	TOTALS	22	\$1,219,519
	<i>Northeast Region</i>		
23	Olyphant Borough Lackawanna County	Curbside Recycling Truck	\$118,080
24	Scott Township Lackawanna County	Drop-off Recycling Containers	\$23,936
25	Taylor Borough Lackawanna County	Curbside Recycling Containers	\$15,363
26	Lehigh County	Recycling Education Program	\$22,500
27	Allentown City Lehigh County	Optical Glass Sorting Equipment for Todd Heller, Inc. Materials Processing Facility	\$300,000
28	Emmaus Borough Lehigh County	Leaf Vacuums and Compost Site Improvements	\$35,431
29	Macungie Borough Lehigh County	Curbside Recycling Containers and Recycling Education	\$ 5,916
30	North Whitehall Township Lehigh County	Leaf Vacuum	\$29,250
31	Washington Township Lehigh County	Curbside Recycling Containers, Drop-off Recycling Center Improvements and Glass Crusher	\$ 8,301
32	Ashley Borough Luzerne County	Yardwaste Compost Turner, Screen and Shredder for Earth Conservancy, Inc.	\$295,000
33	Hanover Township Luzerne County	Plastics Injection Molding Equipment for Spectrum International, Inc.	\$300,000
34	Jenkins Township Luzerne County	Curbside Recycling Containers	\$21,564
35	Rice Township Luzerne County	Drop-off Recycling Center Improvements	\$ 1,296
36	Wilkes-Barre City Luzerne County	Leaf Vacuum and Recycling Education	\$26,137
37	Chestnuthill Township Monroe County	Drop-off Recycling Containers	\$15,397

	<i>Applicant</i>	<i>Project Type</i>	<i>Grant Award</i>
	<i>Northeast Region</i>		
38	Bethlehem City Northampton County	Drop-off Recycling Containers, Recycling Truck, Leaf Vacuums and Recycling Education Program	\$228,014
39	Freemansburg Borough Northampton County	Curbside Recycling Containers and Recycling Education	\$ 881
40	Palmer Township Northampton County	Leaf Vacuums, Recycling Containers, Drop-off Recycling Center Improvements and Cardboard Compactor	\$56,305
41	Mahanoy City Borough Schuylkill County	Recycling Collection Containers and Education Program	\$15,918
42	Schuylkill Haven Borough Schuylkill County	Public Place Recycling Containers	\$11,349
43	Susquehanna County	Recycling Center Reconstruction and Recycling Education Program	\$448,099
44	Wayne County	Recycling Center Improvements, Recycling Collection Trucks and Drop-off Boxed and Recycling Education Program	\$59,388
45	Honesdale Borough Wayne County	Recycling Collection Containers and Education Program	\$9,552
	TOTALS	23	\$2,047,677
	<i>Southcentral Region</i>		
46	Adams County	Commercial Recycling Containers and Recycling Education	\$ 3,723
47	Germany Township Adams County	Wood Recycling Equipment	\$14,310
48	Latimore Township Adams County	Drop-off Recycling Center, Collection Containers and Recycling Education	\$ 7,803
49	Bedford County	Recycling Education Program	\$ 8,049
50	Mohnton Borough Berks County	Wood Recycling Equipment and Recycling Education	\$20,381
51	Shillington Borough Berks County	Curbside Recycling Containers	\$ 1,192
52	Wyomissing Borough Berks County	Leaf Loader, Curbside Recycling Containers and Recycling Education Program	\$19,495
53	Wyomissing Hills Borough Berks County	Leaf Loader	\$13,878
54	Camp Hill Borough Cumberland County	Yard Waste Composting Equipment and Public Place Recycling Containers	\$33,822
55	Lower Allen Township Cumberland County	Leaf Loaders and Recycling Education Program	\$52,484
56	Mount Holly Springs Boro. Cumberland County	Curbside Recycling Program Development and Curbside Recycling Containers	\$ 5,988
57	New Cumberland Borough Cumberland County	Leaf Collection Equipment	\$57,330
58	Upper Allen Township Cumberland County	Leaf Collection Equipment	\$146,520
59	East Hanover Township Dauphin County	Curbside Recycling Program Development, Curbside Recycling Containers and Recycling Education Program	\$11,320
60	Harrisburg City Dauphin County	Leaf Vacuum and Yard Waste Composting Equipment	\$138,600
61	Steelton Borough Dauphin County	Curbside Recycling Containers	\$ 8,496
62	Fayette Township Juniata County	Drop-off Recycling Containers, Compaction Baler and Collection Truck	\$91,890
63	Christiana Borough Lancaster County	Curbside Recycling Collection Truck	\$14,670

	<i>Applicant</i>	<i>Project Type</i>	<i>Grant Award</i>
	<i>Southcentral Region</i>		
64	Elizabethtown Borough Lancaster County	Leaf Vacuum	\$24,684
65	City of Lancaster Lancaster County	Leaf Vacuum	\$23,400
66	Lititz Borough Lancaster County	Leaf Loader	\$32,893
67	West Lampeter Township Lancaster County	Wood Recycling Equipment	\$ 7,560
68	Lebanon County	Curbside Recycling Trailer, Recycling Collection Truck and Recycling Education Program	\$134,237
69	Palmyra Borough Lebanon County	Leaf Collection Truck	\$69,983
70	South Lebanon Township Lebanon County	Leaf Collection Truck	\$60,750
71	Perry County	Drop-off Recycling Containers, Compaction Baler and Recycling Education Program	\$44,604
72	Marysville Borough Perry County	Leaf Loader	\$26,100
73	Rye Township Perry County	Wood Recycling Equipment and Recycling Education Program	\$24,298
74	York County	Curbside Recycling Containers, Wood Recycling Equipment, Collection Truck and Recycling Education Program	\$77,217
75	Carroll Township York County	Curbside Recycling Program Development, Curbside Recycling Containers and Recycling Education Program	\$1,473
76	Fairview Township York County	Wood Recycling Equipment and Education Program	\$23,130
77	Penn Township York County	Drop-off Recycling Collection Trailers and Tractor	\$11,834
	TOTAL	32	\$1,212,114
	<i>Northcentral Region</i>		
78	Bradford County	Drop-off Recycling Sheds, Storage Building, Recycling Center Improvements and Recycling Education Program	\$47,430
79	Sayre Borough Bradford County	Leaf Vacuum	\$10,885
80	Cameron County	Drop-off Recycling Center Improvements	\$22,500
81	Center County	Recycling Education Program	\$21,291
82	College Township Centre County	Wood Recycling Equipment and Leaf Collection Truck	\$184,288
83	Harris Township Centre County	Wood Recycling Equipment	\$18,913
84	Clearfield Borough Clearfield County	Leaf Vacuum and Trailer	\$22,215
85	Clinton County	Curbside Recycling Truck Tarps and Recycling Processing Conveyor Belt	\$ 3,420
86	Columbia County	Recycling Collection Containers and Refurbish Recycling Collection Trailer	\$ 2,474
87	Town of Bloomsburg Columbia County	Curbside Recycling Collection Truck and Recycling Education Program	\$32,701
88	Jackson Township Columbia County	Wood Recycling Equipment and Education	\$16,650
89	Lycoming County	Recycling Collection Containers, Yardwaste Processing Truck Conversion, Drop-off Center Improvements and Recycling Education Program	\$135,000

	<i>Applicant</i>	<i>Project Type</i>	<i>Grant Award</i>
	<i>Northcentral Region</i>		
90	Northumberland Borough Northumberland County	Recycling Collection Truck, Trailers and Roll-off Containers, Wood Recycling Equipment and Education Program	\$84,570
91	Potter County	Curbside Recycling Truck	\$32,850
92	Snyder County	Drop-off Recycling Containers, Refurbish Recycling Trailers and Recycling Education Program	\$37,148
93	East Buffalo Township Union County	Wood Recycling Equipment	\$17,550
	TOTAL	16	\$689,885
	<i>Southwest Region</i>		
94	Allegheny County	Recycling Education Program and Yardwaste Composting Site Improvements	\$36,450
95	Crafton Borough Allegheny County	Leaf Loaders, Collection Truck, Wood Recycling Equipment and Recycling Education Program	\$49,763
96	Duquesne City Allegheny County	Leaf Loader, Collection Truck and Recycling Education Program	\$58,598
97	Forest Hills Borough Allegheny County	Leaf Collection Equipment and Recycling Education Program	\$49,239
98	Kennedy Township Allegheny County	Leaf Collection Equipment	\$44,550
99	McKeesport City Allegheny County	Composting Equipment for Regional Industrial Development Corporation of Southwestern Pennsylvania Growth Fund/AgRecycle, Inc.	\$298,980
100	Monroeville Municipality Allegheny County	Curbside Recycling Containers, Collection Equipment and Recycling Education Program	\$82,263
101	Munhall Borough Allegheny County	Curbside Recycling Collection Trucks, Leaf Loader, Wood Recycling Equipment and Recycling Education Program	\$143,187
102	North Versailles Township Allegheny County	Leaf Collection Equipment, Recycling Drop-off Center Expansion and Recycling Education Program	\$103,416
103	Plum Borough Allegheny County	Curbside Recycling Containers and Education Program	\$15,140
104	Wilkins Township Allegheny County	Yard Waste Collection and Composting Equipment, Recycling Education Program	\$46,928
105	Armstrong County	Materials Compaction Baler for Progressive Workshop of Armstrong County, Inc.	\$44,300
106	Armstrong County	Plastic Lumber Manufacturing Equipment and Building Expansion for BJM Industries, Inc.	\$192,600
107	Ford City Borough Armstrong County	Recycling Program Development, Leaf Collection Equipment and Recycling Education Program	\$43,132
108	Brighton Township Beaver County	Yardwaste Loader, Curbside Recycling Containers and Recycling Education Program	\$65,466
109	Midland Borough Beaver County	Leaf Collection Equipment	\$49,500
110	Cambria County	Home Composting Containers and Recycling Education Program	\$18,162
111	Adams Township Cambria County	Leaf Collection Equipment and Recycling Education Program	\$43,641
112	Barnesboro Borough Cambria County	Wood Recycling Equipment and Recycling Education Program	\$16,380
113	Westmont Borough Cambria County	Leaf Vacuum	\$18,180
114	Fayette County	Public Place Recycling Collection Containers and Recycling Education Program	\$22,648
115	Fayette County	Recycling Center Processing Equipment and Recycling Truck for Goodwill Industries, Inc.	\$68,862

## NOTICES

	<i>Applicant</i>	<i>Project Type</i>	<i>Grant Award</i>
	<i>Southwest Region</i>		
116	Bullskin Township Fayette County	Leaf Loader and Recycling Education Program	\$24,035
117	Fairchance Borough Fayette County	Curbside Recycling Containers	\$ 4,686
118	Masontown Borough Fayette County	Recycling Education Program	\$ 1,058
119	Point Marion Borough Fayette County	Recycling Education Program	\$ 2,448
120	Smithfield Borough Fayette County	Leaf Loader, Collection Truck and Recycling Education Program	\$23,710
121	Greene County	Recycling Education Program	\$13,500
122	Indiana County	Recycling Center Relocation, Processing Equipment, Collection Trucks and Recycling Education Program	\$562,500
123	Stoneycreek Township Somerset County	Wood Recycling Equipment	\$ 4,138
124	Cecil Township Washington County	Leaf Collection Equipment and Recycling Education Program	\$45,350
125	Peters Township Washington County	Curbside Recycling Containers	\$ 2,673
126	Westmoreland County	Home Composting Bins, Leaf Collection Equipment, Wood Recycling Equipment and Recycling Education Program	\$108,814
127	Allegheny Township Westmoreland County	Wood Recycling Equipment and Recycling Education Program	\$17,550
	TOTAL	34	\$2,321,847
	<i>Northwest Region</i>		
128	Crawford County	Public Place Recycling Containers and Recycling Education Program	\$47,700
129	Cambridge Springs Boro. Crawford County	Leaf Collection Equipment	\$35,000
130	Elk County	Public Place Recycling Containers and Recycling Education Program	\$31,673
131	Ridgway Township Elk County	Yard Waste Composting Site Improvements and Wood Recycling Equipment	\$12,451
132	Erie County	Public Place Recycling Containers and Recycling Education Program	\$210,424
133	Corry City Erie County	Plastic Foam Granulator for Foamex International, Inc.	\$166,252
134	Erie City Erie County	Yardwaste Collection and Composting Equipment, Recycling Education Program	\$629,817
135	Greene Township Erie County	Curbside Recycling Program Development, Recycling Collection Truck and Staging Area for Recyclables	\$13,050
136	Millcreek Township Erie County	Curbside Recycling Containers and Recycling Education Program	\$37,667
137	Wesleyville Borough Erie County	Recycling Collection Truck and Containers, Recycling Education Program	\$37,660
138	Jefferson County	Recycling Education Program, Drop-off Recycling Containers and Home Composting Bins	\$48,555
139	Jefferson County	Recycling Processing Equipment and Building Improvements for Gruda Corporation, Inc.	\$99,691
140	Lawrence County	Institutional Recycling Containers and Recycling Education Program	\$13,345
141	Mercer County	Yard Waste Composting Demonstration Area and Home Composting Bins	\$16,286
142	Cherrytree Township Venango County	Drop-off Recycling Containers and Recycling Education Program	\$ 7,326

	<i>Applicant</i>	<i>Project Type</i>	<i>Grant Award</i>
	<i>Northwest Region</i>		
143	Plum Township Venango County	Drop-off Recycling Containers and Recycling Education Program	\$ 7,326
	TOTAL	16	\$1,414,223
	GRAND TOTALS	143	\$8,905,265

[Pa.B. Doc. No. 97-1255. Filed for public inspection August 8, 1997, 9:00 a.m.]

### Availability of Technical Guidance

*Materials related to its technical guidance document, on DEP's World Wide Web site*

DEP's Web address is <http://www.dep.state.pa.us>. These materials are all located at the Public Participation Center. The "June 1997 Inventory" heading is the Governor's List of Nonregulatory Documents. The "Search the Inventory of Technical Guidance Documents" heading is a database of the Inventory. The "Final Documents" heading is the link to a menu of the various DEP bureaus and from there to each bureau's final technical guidance documents. DEP will be adding its revised documents to the Web throughout 1997. The "Draft Technical Guidance" heading is the link to DEP's draft technical guidance documents.

#### *Ordering Paper Copies of DEP Technical Guidance*

Persons can order a bound paper copy of the latest Inventory or an unbound paper copy of any of the final documents listed on the Inventory by calling DEP at (717)

783-8727. In addition, bound copies of some of DEP's documents are available as DEP publications. Persons should check with the appropriate bureau for more information about the availability of a particular document as a publication.

#### *Changes to Technical Guidance Documents*

Here is the current list of recent changes. Persons who have any questions or comments about a particular document should call the contact person whose name and phone number is listed with each document. Persons who have questions or comments in general should call Nina Huizinga at (717) 783-8727.

#### *Final Technical Guidance—Minor Revisions—Bureau of Water Quality Protection*

The Bureau of Water Quality Protection has made format changes to the following documents. Persons should note that, due to the Water Deputate's reorganization, the location for these documents may have changed. Persons who have questions or comments should call Ken Reisinger at (717) 787-6827.

<i>DEP ID</i>	<i>Title</i>	<i>Pages</i>	<i>Location</i>
363-0200-001	Wetlands Protection Action Plan	9	Vol. 34, Tab 05
363-0200-002	Delegation of Authority for Chapters 105 and 106	3	Vol. 34, Tab 02
363-0200-003	Pennsylvania Wetland Replacement Project	9	Vol. 34, Tab 05A
363-0300-001	Design Criteria - Wetland Replacement/Monitoring	11	Vol. 34, Tab 18
363-0600-001	Delegation of Chapter 105 Functions to County Conservation Districts	10	Vol. 34, Tab 03
363-0600-002	Interagency Agreement with Susquehanna River Basin Commission	5	Vol. 34, Tab 04
363-0600-003	Agreement with Army Corps of Engineers	21	Vol. 34, Tab 05
363-2100-002	Delegation of Chapter 105 Functions to Oil & Gas and Field Operations	6	Vol. 34, Tab 08
363-2137-001	Chapter 105 Joint Permit Application Varies		Vol. 34, Tab 16A
363-2140-001	Criteria and Fees for Waterways Management Limited Power Permits	3	Vol. 34, Tab 17
363-2141-001	Chapter 105 General Permits	1	Vol. 34, Tab 17A
363-2316-001	Certification for Corps Nationwide Permits (Wetlands)	4	Vol. 34, Tab 09
363-2505-001	Guidelines for Determining Bonds	4	Vol. 34, Tab 10
363-4000-001	Enforcement Manual	217	Vol. 34, Tab 11

#### *Draft Technical Guidance*

DEP ID: 150-2302-003 Title: Critical Elements for Certification of Drinking Water Laboratories for Radiochemistry Background: As part of the Safe Drinking Water Act, DEP must maintain a laboratory certification program. This document is a necessary part of the certification program. A revision is needed based on EPA's revision of their Certification Manual. Deadline for Submittal of Comments: August 22, 1997 Contact: Ted Lyter at (717) 783-7150.

#### *Notice of Intent to Develop Technical Guidance*

Title: Chapter 71 Sewage Facilities Planning Assistance Grants: Cost Eligibility of Items Estimating Inflow and Infiltration (I&I) of Existing Sewerage Facilities Back-

ground: Currently, there is no guidance on eligibility of specific elements of inflow and infiltration studies that applies Statewide with uniformity. This guidance will describe both eligible and ineligible sewage facilities planning costs related to inflow and infiltration to the applicant community, their consultants and DEP personnel. This guidance also provides a transition period to allow processing of grant applications already in the review process without impact from this guidance. Anticipated Effective Date: October 15, 1997 Anticipated Draft Development Date: August 15, 1997 Proposed Development and Review Process: The draft guidance will be presented to the members of the Act 537 Program Review Committee (an internal DEP group) and to the members of the Sewage Advisory Committee for comment. It will be

distributed to the regional offices of DEP for comment. Notice of the availability of the draft will be published in the *Pennsylvania Bulletin* and DEP's *UPDATE* for public comment. Final guidance will be prepared, as modified in response to comments received. Contact: John J. McHale, Jr. at (717) 787-8184.

*Notice of Addition of Existing Large Document to the Web—Stage One*

DEP ID: 391-0300-002 Title: Special Protection Waters Implementation Handbook Background: This is a 234 page document that is being revised. The program will place the document on DEP's World Wide Web site in three stages. At this stage, the program is adding the following parts of the current November 1992 document to the web: the cover, the standard elements (part of every technical guidance), a preface which describes the contents, a table of contents, a list of tables and a list of figures. When the program revises the document, the draft will be added to the web. At stage two, the program will add the revised narratives of each chapter and at stage three, the program will add the revised tables and figures. Contact: Richard H. Shertz at (717) 783-3638.

*Notice of Intent to Rescind Technical Guidance*

DEP ID: 563-2504-402 Title: Bond Processing Background: This guidance has been replaced by DEP ID: 563-2504-407 titled "Bonding—Direct Submittal of Bonds." Effective Date: August 15, 1997.

JAMES M. SEIF,  
Secretary

[Pa.B. Doc. No. 97-1256. Filed for public inspection August 8, 1997, 9:00 a.m.]

### Low-Level Waste Advisory Committee Meeting

The next meeting of the Department of Environmental Protection's Low-Level Waste Advisory Committee will be held on September 12, 1997.

The meeting will begin at 9 a.m., at the Rachel Carson State Office Building, Room 105.

Questions concerning the meeting should be addressed to Rich Janati at (800) 232-2786 or e-mail at janati.rich@al.dep.state.pa.us.

Persons in need of accommodations as provided for in the Americans With Disabilities Act of 1990 should contact Marianne Hansen directly at (717) 787-2480 or through the Pennsylvania AT&T Relay Service at (800) 654-5984 (TDD) to discuss how the Department may accommodate their needs.

JAMES M. SEIF,  
Secretary

[Pa.B. Doc. No. 97-1257. Filed for public inspection August 8, 1997, 9:00 a.m.]

## DEPARTMENT OF GENERAL SERVICES

### Request for Proposal

The Department of General Services is seeking interested firms to submit sealed proposals for consideration for the following project:

**DGS 948-10.OA Phase 7 Part A**—Replace Sound System, Forum Building, Harrisburg, Dauphin County, PA. A brief description of the project is as follows: Replace the existing sound system with new audio systems and sub-systems within the 1,500 seat auditorium of the Forum Building, Capitol Complex, Harrisburg, Dauphin County, PA. Estimated Construction Cost: \$150,000.

*RFP price*—\$30 (Includes 6% Pa. Sales Tax) per RFP. Payable to the Commonwealth of Pennsylvania. This price is nonrefundable. Requests for the RFP should be mailed to the Department of General Services, Bureau of Professional Selections and Administrative Services, Room 107, Headquarters Building, 18th and Herr Streets, Harrisburg, PA 17125. Contact Bidders Services at (717) 787-3923, for the names of those who have secured the RFP.

*Facility Tour*—A Facility Tour is scheduled for this project on Monday, August 18, 1997 at 10 a.m. Participants are to meet at the Main Entrance of the Auditorium of the Forum Building, 5th and Walnut Streets, Harrisburg, PA. (Maximum of two individuals per Proposer)

*Pre-Proposal Conference*—A Pre-Proposal Conference has been scheduled for this project on Monday, August 25, 1997, at 10:30 a.m. at the Forum Building Auditorium, 5th and Walnut Streets, Harrisburg, PA. Contact person at the Forum Building will be Fuller Runyan at (717) 783-9100. (Maximum of two individuals per Proposer)

All proposals are due Monday, September 8, 1997, no later than 2 p.m., in Room 107, Headquarters Building, 18th and Herr Streets, Harrisburg, PA 17125. Responses received after this due date and time will be returned unopened.

GARY E. CROWELL,  
Secretary

[Pa.B. Doc. No. 97-1258. Filed for public inspection August 8, 1997, 9:00 a.m.]

### State Surplus Property

The Department of General Services, State Surplus Property Division is offering off road equipment and dump trucks for sale at public auction on August 16, 1997, at 9 a.m. located at the Department of Transportation Equipment Shed on Rt. 8, 25 miles North of Oil City in Crawford County.

Some of the equipment for sale will be approximately 40 trucks to include oil distribution trucks, dumps, post driver, fuel truck and mack tractors. Other equipment will consist of three loaders and other miscellaneous items. (Note: The Commonwealth reserves the right to withdraw any or all items from this sale.) For more information, call (717) 787-4085.

GARY E. CROWELL,  
Secretary

[Pa.B. Doc. No. 97-1259. Filed for public inspection August 8, 1997, 9:00 a.m.]

### State Surplus Property

The Department of General Services, State Surplus Property Division is offering a Honeywell Mainframe

Computer System for sale by sealed bids. If you need more information about this sale or would like to receive a bid packet, call or write to the Department of General Services, State Surplus Property, Room G-48, 2221 Forster Street, Harrisburg, PA 17125, (717) 787-4085 prior to the bid opening on August 26, 1997 at 1 p.m.

GARY E. CROWELL,  
*Secretary*

[Pa.B. Doc. No. 97-1260. Filed for public inspection August 8, 1997, 9:00 a.m.]

## DEPARTMENT OF HEALTH

### Human Immunodeficiency Virus (HIV) Community Prevention Planning Committee; Public Meetings

The Statewide HIV Community Prevention Planning Committee (Committee), established by the Department of Health under sections 301 and 317 of the Public Health Service Act, 42 U.S.C.A. §§ 241(a) and 247(b), will hold a public meeting on August 20 and 21, 1997.

This meeting will be held at the Sheraton Inn—Harrisburg, 800 East Park Drive, Harrisburg, PA from 10 a.m. to 4 p.m.

For additional information, or persons with a disability who desire to attend the meetings and require an auxiliary aid service, or other accommodation to do so, should contact Tom DeMelfi, Department of Health, Bureau of HIV/AIDS, P. O. Box 90, Room 912, Health and Welfare Building, Harrisburg, PA 17108, (717) 783-0574, TDD: (717) 783-6514 or Network/TDD: (8) (717) 433-6514.

DANIEL F. HOFFMANN,  
*Secretary*

[Pa.B. Doc. No. 97-1261. Filed for public inspection August 8, 1997, 9:00 a.m.]

## DEPARTMENT OF PUBLIC WELFARE

### Revision to Physician Assistant and Midwife Supervision Requirements; Notice of Rule Change

The Department of Public Welfare (Department) announces that it is revising its regulations on supervision requirements for payment for medical services provided by physician assistants and midwives to Medical Assistance recipients to accurately reflect current State law requirements as set by the Board of Medicine. These changes benefit recipients and providers and are needed to clarify that these are compensable services when provided as allowed by applicable State law and regulations. This Rule Change will be adopted by final rulemaking to 55 Pa. Code Chapter 1141, sections 1141.53(f) and 1141.54(f).

This Rule Change is needed for consistency between Medical Assistance payment regulations and the regulations of the State Board of Medicine which sets the practice standards and licensure requirements for physician assistants and midwives. (49 Pa. Code §§ 18.1—18.6, 18.121 and 18.122). Failure to remove obsolete payment

standards will continue inconsistency in the Medical Assistance regulations with current practice standards and licensure requirements.

This Rule Change amends and updates the Notice of Rule Change published on November 30, 1996, at 26 Pa.B. 5847, effective September 1, 1996. That Notice announced the Department's policy revision to permit payment for services of physician assistants and midwives when those services are provided and allowed by State law.

This Rule Change has been reviewed by the Office of General Counsel and the Office of Attorney General.

This Rule Change is made under the Joint Committee on Documents Resolution 1996-1(3) 26 Pa.B. 2374 (May 18, 1996) and will be in effect for 365 days pending adoption of final rulemaking by the Department.

Public comments to this Rule Change can be made by contacting: Department of Public Welfare, Office of Medical Assistance Programs, c/o Deputy Secretary's Office, Attention: Regulations Coordinator, Room 515, Health and Welfare Building, Harrisburg, PA 17120.

Persons with a disability may use the AT&T Relay Service by calling (800) 654-5984 (TDD users) or (800) 654-5988 (voice users). If you require another alternative is required, contact Thomas Vracarich at (717) 772-2286.

FEATHER O. HOUSTOUN,  
*Secretary*

#### *Purpose*

The purpose of this notice is to inform providers of the following updates in the Medical Assistance (MA) Program regulations regarding physician assistant and midwife supervision requirements:

1. Revise supervision requirements for Physician Assistants for inpatient services, as well as outpatient services.
2. Delete obsolete physician supervision requirements for Midwife services.

This notice amends and updates MA bulletin 1141-96-01 issued on November 22, 1996.

#### *Scope*

This notice is applicable to all physicians and midwives enrolled in the MA Program.

#### *Background*

MA Bulletin 1141-96-01 issued on November 22, 1996, effective September 1, 1996, was intended to contain revisions to Medical Assistance regulations on Physician Assistant and Midwife supervision requirements based on the current practice standards and licensure requirements established by the State Board of Medicine. After the release of the Bulletin, the Department identified that it inadvertently omitted payment conditions for inpatient services, and inaccurately included supervision requirements for midwife services.

\*01-97- 02-97- 06-97- 08-97- 09-97- 10-97- 11-97- 12-97- 25-97- 26-97- 30-97- 31-97- 37-97- 38-97-

#### *Discussion*

MA regulations at 55 Pa. Code § 1141.54(f) relating to payment for inpatient physician services currently state that a physician assistant and midwife must be under the direct supervision of a physician when providing medical services to a MA recipient.

Since the MA Program's regulation is not consistent with current Board of Medicine practice standards and



license provisions for physician assistants and midwives in the Commonwealth, the regulations on this requirement are revised to reflect current practice standards and licensure requirements.

**PHYSICIAN ASSISTANT:** Current practice standards and licensure requirements of physician assistants now permit them to provide medical services to patients on behalf of a physician without the direct supervision of that physician as long as the physician is accessible by telephone or some other means of communication. This extends to inpatient as well as outpatient services.

**MIDWIFE:** Current practice standards and licensure requirements of midwives permit them to provide medical services to patients in accordance with midwife protocol and a collaborative agreement with physicians. Physician supervision has been removed as a requirement by the Board of Medicine. Accordingly, this is no longer required by the Department, and is being deleted from the regulations.

#### *Policy*

Payment conditions in 55 Pa. Code Chapter 1141, consistent with Board of Medicine requirements, are as follows:

§ 1141.53. Payment conditions for outpatient services.

\* \* \* \* \*

(f) All covered outpatient physicians' services billed to the Department shall be performed by one of the following:

- (i) The physician personally.
- (ii) A registered nurse under the physician's direct supervision.
- (iii) A physician assistant provided that a physician is accessible at all times by telephone or some other means of communication as permitted under current Pennsylvania practice standards and licensure.

\* \* \* \* \*

§ 1141.54. Payment conditions for inpatient services.

\* \* \* \* \*

(f) All covered inpatient physicians' services billed to the Department shall be performed by one of the following:

- (i) The physician personally.
- (ii) A registered nurse under the physician's direct supervision.
- (iii) A physician assistant provided that a physician is accessible at all times by telephone or some other means of communication as permitted under current Pennsylvania practice standards and licensure.

\* \* \* \* \*

#### *Next Step*

The Department will amend the MA regulations through the regulatory process.

**Fiscal Note:** 14-NRC-071. No fiscal impact; (8) recommends adoption.

[Pa.B. Doc. No. 97-1262. Filed for public inspection August 8, 1997, 9:00 a.m.]

## DEPARTMENT OF TRANSPORTATION

### Finding Berks County

Pursuant to the provisions of 71 P. S. Section 2002(b), the Secretary of Transportation makes the following written finding:

The Department of Transportation plans to construct State Route 0222, in Brecknock, Cumru, Spring, and Wyoming Townships, Berks County.

The project consists of widening 7.1 kilometers (4.4 miles) of U.S. 222 from a two-lane free access roadway to a four-lane limited access roadway from south of the Berks-Lancaster County line north of Hain Road and the Warren Street Extension portion, which is a 4.2-kilometer (2.6 mile), four-lane, limited access facility on new alignment, north of Hain Road to the existing Warren Street Bypass/Penn Avenue interchange. A continuous median barrier will be constructed for the entire length of the project. Limited access, grade-separated interchanges will be constructed at Route 568/Route 272, Mohns Hill Road, Grings Hill Road, and Route 724. Blimline Hill Road will be realigned.

The Department of Transportation has received environmental clearance in the form of a Record of Decision from the Regional Planning and Program Development Director of the Federal Highway Administration.

No adverse environmental effect is likely to result from the construction of these sections of highway.

BRADLEY L. MALLORY,  
*Secretary*

[Pa.B. Doc. No. 97-1263. Filed for public inspection August 8, 1997, 9:00 a.m.]

### Lease of Right-of-Way

Notice is hereby given that pursuant to Volume 67 Pa. Code, Chapter 495, Section 495.4, Par. D, Rules and Regulations covering the Administration of the Provisions of Act No. 37, approved March 13, 1974, and Act 251, as amended November 17, 1982, amending Section 2002, Act of April 9, 1929, P.L. 177, (No. 175) known as the Administrative Code of 1929, an application has been made to the Pennsylvania Department of Transportation by McDonald's Corporation, who seeks to lease highway right-of-way located near the intersection of Haynes Street and Napoleon Street, in the City of Johnstown, PA, associated with highway L. R. 11011, Section 2. The intended use of the property is parking. The Department proposes to delete the provision in the proposed lease which provides that the Department may terminate the lease upon thirty days written notice if the premises or any portion thereof is needed for transportation purposes. This lease provision is included due to a regulation providing that all joint use leases shall be subject to the Secretary's right of termination upon prior written notice when, in the opinion of the Secretary, the real property subject to the lease is required to improve safety or flow of traffic. 67 Pa. Code § 495.6(e). Upon a showing of good cause by the lessee, the Secretary may waive compliance with this provision, provided, however, that the intention to waive compliance and the reasons therefor are pub-

lished in the *Pennsylvania Bulletin* at least thirty days in advance of the waiver. Pa. Code § 495.10. A waiver is being made to the lease to accommodate Johnstown Redevelopment Authority in securing a tenant. Interested persons are invited to submit written comments, suggestions and/or objections to the approval of the application within 30 calendar days from the date of publication of this notice to Earl L. Neiderhiser, P.E., District Engineer, Engineering District 9-0, 1620 North Juniata Street, Hollidaysburg, PA 16648.

BRADLEY MALLORY,  
*Secretary*

[Pa.B. Doc. No. 97-1264. Filed for public inspection August 8, 1997, 9:00 a.m.]

### Retention of Engineering Firms

#### **Chester, Delaware and Montgomery Counties Project Reference No. 08430AG2100**

The Department of Transportation will retain an engineering firm to provide supplementary construction inspection staff of approximately sixteen (16) inspectors, under the Department's Inspector-in-Charge, for construction inspection and documentation services on the following projects:

1. S. R. 0030, Sections M05 and 01N, Chester County

This project involves milling and overlaying Lancaster Pike from T.R. 252 to the Delaware County line including construction of shoulders, drainage and the intersection improvement of T.R. 30, Waterloo Road and Devon Blvd. in Eastown and Tredyffrin Townships.

2. S. R. 0202, Section ADV, Chester and Montgomery Counties

This project involves advanced grading, utility relocation and miscellaneous traffic improvements on U.S. 202 from Swedesford Road to Gulf Road in upper Merion and Tredyffrin Townships.

3. S. R. 0202, Section M08, Delaware County

This project involves milling and overlaying T.R. 202 from Smithbridge Road to Baltimore Pike in Birmingham and Concord Townships.

4. S. R. 1005, Section 06S, Delaware County

This project involves the replacement of the bridge carrying Eagle Road over SEPTA and Cobbs Creek in Haverford Township.

The Department will establish an order of ranking of a minimum of three (3) firms for the purpose of negotiating an Engineering Agreement based on the Department's evaluation of the acceptable letters of interest received in response to this solicitation. The ranking will be established directly from the letters of interest. Technical proposals will not be requested prior to the establishment of the ranking.

The following factors, listed in order of importance, will be considered by the Department during the evaluation of the firms submitting letters of interest:

a. Preview of inspectors' resumes with emphasis on construction inspection capabilities, Department and District experience and supervisory experience.

b. Specialized experience in bituminous paving, drainage, signalization and structures.

c. Number of NICET certified inspectors in each payroll classification.

d. Understanding of Department's requirements, policies and specifications.

e. Ability to provide four (4) "CDS" operators or persons capable of inputting data into a personal computer (TCIS Classification).

f. Past performance.

The qualifications and experience required of the firm's inspectors will be established by the Department, and the qualifications of the firm's proposed employees will be reviewed and approved by the Department.

It is anticipated that the supplementary construction inspection staff for this assignment will consist of the following number of inspectors who meet the requirements for the following inspection classifications:

<i>Classification</i>	<i>No. of Inspectors</i>
Transportation Construction Insp. Super. (TCIS) (NICET Highway Construction Level 3 or equivalent)	7 (5)
Transportation Construction Inspector (TCI) (NICET Highway Construction Level 2 or equivalent)	7 (5)
Technical Assistant (TA) (NICET Highway Construction Level 1 or equivalent)	2 (0)

The number(s) in parenthesis above indicate the number of inspectors in each Classification that must meet at least one of the following requirements:

1. Be certified by the National Institute for Certification in Engineering Technologies (NICET) in the field of Transportation Engineering Technology, subfield of Highway Construction, or subfield of Highway Materials, at the Level required for the Inspection Classification.

2. Be registered as a Professional Engineer by the Commonwealth of Pennsylvania with the required highway experience specified for the Inspection Classification.

3. Be certified as an Engineer-in-Training by the Commonwealth of Pennsylvania with the required highway experience specified for the Inspection Classification.

4. Hold a Bachelor of Science Degree in Civil Engineering or a Bachelor of Science Degree in Civil Engineering Technology with the required highway experience specified for the Inspection Classification.

5. Hold an Associate Degree in Civil Engineering Technology with the required highway experience specified for the Inspection Classification.

The maximum reimbursement per hour of inspection for each Department Payroll Classification for calendar year of 1997:

<i>Payroll Classification</i>	<i>Maximum Straight Time Reimbursement Per Hour of Inspection</i>
(TCIS)	\$38.21
(TCI)	\$33.44
(TA)	\$22.98

The maximum reimbursement per hour of inspection includes all costs for providing construction inspection services at the project site during the normal work week.

Maximum reimbursement per hour of inspection for subsequent calendar years, if applicable, will be established at the scope of work meeting.

The firm selected may be required to attend a pre-construction conference with the Department and the construction contractor for this project. Under the supervision and direction of the Department, the selected firm will be required to keep records and document the construction work; prepare current and final estimates for payment to the construction contractor; assist the Department in obtaining compliance with the labor standards, safety and accident prevention, and equal opportunity provisions of the contract item; and perform other duties as may be required. Firms applying must have qualified personnel capable of climbing structures during painting, rehabilitation, or construction.

The firm selected will be required to supply the following equipment at no direct cost to the Department:

a. Three (3) 35MM cameras (one per project), except S. R. 0202 (ADV).

b. Three (3) two-way radios/repeater equipment and base unit (maximum number per project)—all projects except S.R. 0202 (ADV).

The goal for Disadvantaged Business Enterprise (DBE) participation in this Agreement shall be fifteen percent (15%) of the total contract price. Additional information concerning DBE participation in this Agreement is contained in the General Requirements and Information Section after the advertised project(s).

Letters of interest for this project must include a letter, signed by the individuals you propose for all TCIS positions, giving their approval to use their name in your letter of interest for this specific project.

The maximum number of resumes to be included in the letter of interest shall be as follows:

<i>Classification</i>	<i>No. of Resumes</i>
TCIS	9
TCI	9

No resumes are required for the TA Classification. The second copy of the letter of interest and required forms, (see general requirements and information section) shall be sent to: Mr. Andrew Warren, District Administrator, District 6-0, 200 Radnor-Chester Road, St. Davids, Pa 19087.

Any technical questions concerning the requirements for this project should be directed to Mr. Rex Mackey, District 6-0, at (610) 964-6556.

Any questions concerning the submittal of the letter of interest can be directed to the Consultant Agreement Division at (717) 783-9309.

#### **Berks County Project Reference No. 08430AG2101**

The Department of Transportation will retain an engineering firm for final design and services during construction (consultation during construction and shop drawing review) for S. R. 0143, Section 01B, the replacement of the bridge structure (Virginville Bridge) over Maiden Creek where Richmond, Perry and Greenwich Townships meet in Berks County, Engineering District 5-0.

This project is the replacement of an two span, 34 foot wide curb-to-curb prestressed concrete bridge on the existing alignment. Also involved is the removal and relocation of a temporary structure which will be con-

structed under a previous contract and used as the detour. The estimated construction cost is \$1 million.

The firm selected will be required to perform the following: prepare final right-of-way plans; prepare final design/construction plans; specifications, and cost estimates; review shop drawings; and provide consultation during construction.

The firm selected will be required to submit final right-of-way plans within 45 days from the Notice To Proceed and to submit a final PS&E package to the District within 9 months from Notice To Proceed.

The goal for Disadvantaged Business Enterprise (DBE) participation in this Agreement shall be fifteen (15%) percent of the total contract price. Additional information concerning DBE participation in this Agreement is contained in the General Requirements and Information section after the advertised project(s).

The District's copy of the Letter of Interest (LOI) and required forms (see "General Requirements and Information" section for details) shall be sent to Mr. Walter E. Bortree, P.E., District Engineer, Engineering District 5-0, 1713 Lehigh Street, Allentown, PA 18103.

Technical questions concerning the requirements for this project should be directed to Mr. Donald E. Lerch, P.E., at (610) 791-6091 or Stephen L. Caruano, P.E. at (610) 791-6062.

Questions concerning the submittal of the Letter of Interest should be directed to the Consultant Agreement Division at (717) 783-9309.

#### **GENERAL REQUIREMENTS AND INFORMATION**

Firms interested in providing the above work and services are invited to submit two copies of a Letter of Interest and required information for each Project Reference Number for which the applicant wishes to be considered.

The first copy of the Letter of Interest and required information must be submitted to:

Mr. Charles W. Allwein, P.E., Chief  
Consultant Selection Committee  
7th Floor, Forum Place,  
555 Walnut Street  
Harrisburg, Pennsylvania 17101-1900

The Letter of Interest and required information must be received within thirteen (13) calendar days of this Notice. The Deadline for receipt of a Letter of Interest at the above address is 4:30 P.M. prevailing time of the thirteenth day.

The second copy of the letter of interest and required information must be submitted to the appropriate District Engineer/Administrator or the Bureau Director as indicated in the individual advertisement. This copy must be postmarked or delivered on or before the deadline indicated above.

If an individual, firm, or corporation not authorized to engage in the practice of engineering desires to submit a Letter of Interest, said individual, firm, or corporation may do so as part of a Joint Venture with an individual, firm, or corporate which is permitted under the state law to engage in the practice of engineering.

If a Joint Venture responds to a project advertisement, the Department of Transportation will not accept separate Letters of Interest from the Joint Venture constituents. A firm will not be permitted to submit on more than one (1) Joint Venture for the same Project Reference

Number. Also a firm that responds to a project as a prime may not be included as a designated subcontractor to another firm that responds as a prime to the project. Multiple responses under any of the foregoing situations will cause the rejection of all responses of the firm or firms involved. The above does not preclude a firm from being set forth as a designated subcontractor to more than one (1) prime responding to the project advertisement.

If a goal for Disadvantaged Business Enterprise (DBE) participation is established for an advertised project, firms expressing interest in the project must agree to ensure that Disadvantaged Business Enterprise (DBE) firms as defined in the Intermodal Surface Transportation Efficiency Act of 1991 and currently certified by the Department of Transportation shall have the maximum opportunity to participate in any subcontracting or furnishing supplies or services approved under Form 442, Section 1.10(a). The Act requires that firms owned and controlled by women (WBEs) be included, as a presumptive group, within the definition of Disadvantaged Business Enterprise (DBE). The goal for DBE participation shall be as stated in the individual project advertisement. Responding firms shall make good faith efforts to meet the DBE goal using DBEs (as they were defined prior to the act), WBEs or combinations thereof.

Proposing DBE firms must be certified at the time of submission of the Letter of Interest. If the selected firm fails to meet the established DBE participation goal, it shall be required to demonstrate its good faith efforts to attain the goal.

Responses are encouraged by small firms, Disadvantaged Business Enterprise (DBE) firms, and other firms who have not previously performed work for the Department of Transportation.

Each Letter of Interest must include the following information and the information must be packaged and presented in the following order:

1. Transmittal Letter (Maximum of two (2) typed pages, one side)

The subject heading of the transmittal letter must include the project reference number for which the applicant wishes to be considered, the firm's legal name, fictitious name (if applicable), and the firm's federal identification number. If the project advertisement indicated the Department will retain an engineering firm for the project, the applicant must indicate in the body of their transmittal letter the names and Professional engineer License Number of individuals who are directing heads or employees of the firm who have responsible charge of the firm's engineering activities, and whose names and seals shall be stamped on all plans, specifications, plats, and reports issued by the firm.

2. Project Organization Chart (one page, one side)

This Chart should show key staff from the prime and each subconsultant and their area of responsibility.

3. Standard Form 255, "Architect-Engineer and Related Services Questionnaire for Specific Project" (one Form 255 for the project team).

The Standard Form 255 must be signed, dated, and filled out in its entirety, including Item No. 6 listing the proposed subconsultants and the type of work or service they will perform on the project. Under Item 4 of this form, Column A should include the number of subconsultant personnel and Column B should include the number

of prime consultant personnel to be assigned to work on this project reference number.

If a Disadvantage Business Enterprise (DBE) goal is specified for the project, the DBE must be currently certified by the Department of Transportation, and the name of the DBE and the work to be performed must be indicated in Item No. 6. If a Woman Business Enterprise (WBE) firm is substituted for the DBE, the WBE firm must also be presently certified by the Department of Transportation and indicated in Item 6.

4. Standard Form 254, "Architect-Engineer for Related Services Questionnaire"

A Standard Form 254, not more than one (1) year old as of the date of this advertisement, must accompany each Letter of Interest for the firm, each party to a Joint Venture, and for each subconsultant the firm or Joint Venture is proposing to use for the performance of professional services regardless of whether the subconsultant is an individual, a college professor, or a Company, unless an acceptable Standard Form 254 for the prime and each subconsultant/subcontractor is on file in both the Bureau of Design and the Engineering District Office or Central Office Bureau identified in the individual project advertisement.

If the Standard Form 254 is not submitted with the Letter of Interest, the transmittal letter shall indicate the dates that the Standard Forms 254 were submitted to the Bureau of Design and appropriate Engineering District/Central Office Bureau. These Forms shall be assembled with the prime's first, followed by the subconsultant's in the same order as they appear in Item 6 of Form 255.

5. Workload Projection Graph (Not required for Construction Inspection Services)

A Workload Projection Graph for the prime and each subconsultant should indicate the firm's current and anticipated workload compared to the anticipated capacity available for the next two-year time frame. The Workload Projection Graph should be submitted for the office(s) where the work would be performed and should only include the personnel classifications required for providing the advertised services and work.

6. Authorization Letters (if required)

If the advertisement requires a letter signed by individuals giving their approval to use their name in the Letter of Interest, the letters from proposed prime employees should be first, followed by subconsultant employees, in the same order as shown in Item 6 of Form 255.

7. Registration To Do Business

Firms with out-of-state headquarters or corporations not incorporated in Pennsylvania must include, with each Letter of Interest, a copy of their registration to do business in the Commonwealth as provided by the Department of State. Firms who are not registered to do business in Pennsylvania at the time of this advertisement must document that they have applied for registration to the Department of State, Corporation Bureau. The telephone number for the Corporation Bureau is (717) 787-1057 or (717) 787-2004.

8. Overhead Rates (one page)

This page must show the latest audited overhead rate developed in accordance with Federal Acquisition Regulations (FAR) for the prime consultant and each subconsultant. If a FAR rate is not available, the latest rate available from a Certified Public Account must be indi-

cated. New firms should indicate how long the firm has been in existence and when an audited overhead rate would be available.

#### 9. Additional Information

Additional information, not to exceed ten (10) one sided pages or five (5) double sided pages may be included at the discretion of the submitting firm.

The assignment of the agreement/contract for the above advertisement(s) will be made to one of the firms who submitted an acceptable Letter of Interest in response to the project advertisement. The assignment will be made based on the Department's evaluation of the firm's qualification and capabilities. The Department reserves the right to reject all letters submitted, to cancel the solicitations requested under this Notice, and/or to readvertise solicitation for the work and services.

BRADLEY L. MALLORY,  
*Secretary*

[Pa.B. Doc. No. 97-1265. Filed for public inspection August 8, 1997, 9:00 a.m.]

## ENVIRONMENTAL HEARING BOARD

**Donald W. Barshinger, et al., Appellants v. DEP, Appellee and Robert Hankin, Executor of Estate of Bernard Hankin, Permittee; EHB Doc. Nos. 96-027-MG and 96-132-MG (Consolidated)**

The Department of Environmental Protection (Department) appellants Donald W. Barshinger, Roger A. Bennett, the Brandywine Conservancy, Evelyn Howard, Elizabeth Moran, Sarah E. M. Solmssen, Bruner Strawbridge and Jacqueline K. Wilking (collectively, Appellants), and permittee/transferee Clocktower Woods, Ltd. and Estate of Bernard Hankin (collectively, CWLBH) have agreed to a settlement of the above matter, the major provisions of which include:

1. The construction along Towne Drive in the "Bow Tree—Section IV" development of a boulder wall of specified dimensions for the purpose of reducing wetland disturbance in the area of the box culvert; and
2. Ecological planting of roadside swaled areas and disturbed areas;
3. Submission for approval to township, county, and Department officials by CWLBH of proposals to amend the final plans for "Bow Tree—Section IV" to reflect the above items;
4. Release of claims related to the appeals among the Department, Appellants, and CWLBH; and
5. Dismissal of the appeals.

Copies of the full Consent Order and Adjudication are in the hands of:

David Butterworth, Esquire, Counsel to Appellants, Morgan, Lewis & Bockius, 2000 One Logan Square, Philadelphia, PA 19103, (215) 963-5000;

Mary Ann Rossi, Esquire, Counsel to CWLBH, Fox, Rothschild, O'Brien & Frankel, 760 Constitution Drive, Suite 104, Exton, PA 19341, (610) 458-7500;

Kenneth A. Gelburd, Assistant Regional Counsel, Department of Environmental Protection, Office of Chief Counsel—Southeast Region, 555 North Lane—Suite 6015, Conshohocken, PA 19428-2233, (610) 832-6300;

and at the office of the Environmental Hearing Board and may be reviewed by an interested party on request during normal business hours.

Persons who are aggrieved by the above settlement may have the right of an appeal to the Environmental Hearing Board, Market Street State Office Building, Second Floor, 400 Market Street, Harrisburg, PA 17105.

Appeals must be filed within 20 days of this publication.

The Environmental Hearing Board is empowered to approve this settlement if no objection is timely made.

If information concerning this notice is required in an alternative form, contact the Secretary to the Board at (717) 783-3483. TDD users may telephone the Board through the AT&T Pennsylvania Relay Center at (800) 654-5984.

GEORGE J. MILLER,  
*Chairperson*

[Pa.B. Doc. No. 97-1266. Filed for public inspection August 8, 1997, 9:00 a.m.]

**Indian Lake Borough v. DEP, PBS Coals, Inc. and RoxCOAL, Inc.; EHB Doc. No. 95-071-R (consolidated) (CMAP Nos. 56911302, 56901301) (Somerset County).**

The Department of Environmental Protection (Department), Indian Lake Borough (Borough), PBS Coals, Inc. and RoxCOAL, Inc. (collectively RoxCOAL) have agreed to a settlement of the above consolidated matter. The above captioned matter is a consolidation of several appeals relating to RoxCOAL's Long T Mine (CMAP No. 56911302) located in Somerset County, PA.

The parties have agreed to a settlement, the major provisions of which include:

1. With regard to future mining under CMAP No. 56911302:

A. RoxCOAL shall not seek to revise the permitted support areas under Calendars Run, shown on Exhibit A to the Consent Order and adjudication. The Department shall not issue a permit or permit revision to RoxCOAL to change the mining locations or rates of extraction in the support areas.

B. No retreat mining, full extraction mining or mining at an extraction rate greater than 50% shall be conducted in the area located between 800 feet and 1,000 feet from Indian Lake, which area is shown on Exhibit A to the Consent Order and Adjudication.

2. RoxCOAL shall update the maps attached as Exhibit A to the Consent Order and Adjudication quarterly and provide the same to the Borough within 10 days of the Borough's request.

3. RoxCOAL shall discuss and explain any revisions of the permit with the Borough's council prior to any submission to the Department. The Borough's council shall discuss any problems or concerns with RoxCOAL before raising them to the Department.

4. The Borough shall not object to or appeal the revision to CMAP No. 56911302 submitted to the Department on November 19, 1996.

5. The Department shall forward copies of RoxCOAL's quarterly water monitoring submissions to the Borough for the points identified in the Consent Order and Adjudication.

Copies of the full agreement are in the possession of:

Michael J. Heilman, Barbara J. Grabowski, Assistant Counsel, Department of Environmental Protection, Office of Chief Counsel, 400 Waterfront Drive, Pittsburgh, PA 15222-4745, (412) 442-4262;

Vincent J. Barbera, Esquire, Barbera, Clapper, Beener, Rullo & Melvin, 146 West Main Street, P.O. Box 775, Somerset, PA 15501-0775, (814) 443-4681, Attorney for PBS Coals, Inc. and RoxCOAL, Inc.;

Robert P. Ging, Esquire, R. D. 3, Box 220, Confluence, PA 15424-9610, (814) 395-3661, Counsel for Indian Lake Borough;

and at the offices of the Environmental Hearing Board, and may be reviewed by an interested person on request during normal business hours.

Persons who are aggrieved by the above settlement have a right to appeal to the Environmental Hearing Board, Second Floor, Market Street State Office Building, 400 Market Street, P. O. Box 8457, Harrisburg, PA 17105-8457. Appeals must be filed within 20 days of this publication.

If information concerning this notice is required in an alternative form, contact the Secretary to the Board at (717) 783-3483. TDD users may telephone the Board through the AT&T Pennsylvania Relay Center at (800) 654-5984.

The Environmental Hearing Board is empowered to approve this settlement if no objection is timely filed with the Board.

GEORGE J. MILLER,  
*Chairperson*

[Pa.B. Doc. No. 97-1267. Filed for public inspection August 8, 1997, 9:00 a.m.]

### **William E. Murphy v. DEP and Lackawanna County Railroad Authority, Permittee; EHB Doc. No. 97-156-MR**

William E. Murphy has appealed the issuance by the Department of Environmental Protection of an NPDES permit to Lackawanna County Railroad Authority for a facility in Monroe County: Coolbaugh, Pocono and Tobyhanna Townships and Mt. Pocono Borough.

A date for the hearing on the appeal has not yet been scheduled.

The appeal is filed with the Environmental Hearing Board at its office on the Second Floor, Rachel Carson State Office Building, 400 Market Street, P. O. Box 8457, Harrisburg, PA 17105-8457, and may be reviewed by any interested party on request during normal business hours. If information concerning this notice is required in an alternative form, contact the Secretary to the Board at (717) 787-3483. TDD users may telephone the Board through the AT&T Pennsylvania Relay Center at (800) 654-5984.

Petitions to intervene in the appeal may be filed with the Board by interested parties under 25 Pa. Code § 1021.62. Copies of the Board's rules of practice and procedure are available upon request from the Board.

GEORGE J. MILLER,  
*Chairperson*

[Pa.B. Doc. No. 97-1268. Filed for public inspection August 8, 1997, 9:00 a.m.]

### **SCM Metal Products, Inc. v. DEP; Doc. No. 96-247-MR**

The Department of Environmental Protection (Department) and SCM Metal Products, Inc. (SCM) have agreed to a settlement of the above matter.

On or about October 16, 1996, the Department issued to SCM a National Pollutant Discharge Elimination System Permit PA0110591 (NPDES Permit) authorizing discharges from SCM's facility in Johnstown, Cambria County to Stony Creek, a water of the Commonwealth. SCM timely appealed the Department's issuance of the NPDES Permit. During discovery and informal settlement negotiations, SCM provided to the Department additional detailed data relating to the calculation of effluent limitations for technology based parameters in the NPDES Permit.

The parties have agreed to a settlement, the major provisions of which include:

(1) The Department will amend the effluent limitations of the technology based parameters in the NPDES Permit. The draft NPDES Permit Amendment is attached to the Consent Adjudication as Exhibit A, a copy of which may be obtained from either attorney listed.

(2) Upon approval by the Board, the Consent Adjudication shall terminate the appeal with prejudice.

(3) The parties agree to bear their respective attorneys' fees, expenses and costs associated with this matter.

Copies of the full agreement are in the possession of:

Bruce M. Herschlag, Assistant Counsel, Department of Environmental Protection, Office of Chief Counsel, 400 Waterfront Drive, Pittsburgh, PA 15222-4745, (412) 442-4262;

Louis A. Naugle, Reed Smith Shaw & McClay, 435 Sixth Avenue, Pittsburgh, PA 15219-1886, (412) 288-3131;

and at the offices of the Environmental Hearing Board, and may be reviewed by an interested person on request during normal business hours.

Persons believing themselves aggrieved by the above settlement have a right to appeal to the Environmental Hearing Board, Second Floor, Market Street State Office Building, 400 Market Street, P. O. Box 8457, Harrisburg, PA 17105-8457. Appeals must be filed within 20 days of this publication.

If information concerning this notice is required in an alternative form, contact the Secretary to the Board at (717) 783-3483. TDD users may telephone the Board through the AT&T Pennsylvania Relay Service at (800) 654-5984.

The Environmental Hearing Board is empowered to approve this settlement if no objection is timely filed with the Board.

GEORGE J. MILLER,  
*Chairperson*

[Pa.B. Doc. No. 97-1269. Filed for public inspection August 8, 1997, 9:00 a.m.]

## HOUSING FINANCE AGENCY

### Availability of 1998 PennHOMES Program Funds

The Housing Finance Agency (Agency) is announcing the availability of 1998 PennHOMES Program Funds. PennHOMES Program funds include Federal HOME Program funds and Agency funds and may be utilized for the construction and permanent financing of multifamily rental housing developments located in this Commonwealth containing five or more units. To assist prospective applicants in preparing applications for funding, five workshops will be offered Statewide. A review of the PennHOMES Program, the application process, and an explanation of selection criteria will be provided at each of the following workshops or by contacting the Agency.

#### PennHOMES Pre-Application Workshop Schedule

September 16, 1997 Erie  
September 17, 1997 Monroeville  
September 23, 1997 Scranton  
September 25, 1997 King of Prussia  
September 30, 1997 Carlisle

The registration deadline for these workshops is September 5, 1997. A nonrefundable registration fee of \$10 will be charged for each registrant.

The Agency will accept applications from October 1, 1997 through November 30, 1997 for developments located in the following Nonparticipating Jurisdictions for Federal HOME funds made available by the Department of Economic and Community Development. Reservation of funds is anticipated to be made in March 1998.

Nonparticipating Jurisdictions: Abington Township (Montgomery County), Adams County, Arnold City (Westmoreland County), Armstrong County, Bradford County, Bedford County, Bradford Woods Borough (Allegheny County), Blair County (except Altoona), Bristol Township (Bucks County), Butler County, Cambria County, Cameron County, Carbon County, Centre County, Clarion County, Clearfield County, Clinton County, Columbia County, Conshohocken Borough (Montgomery County), Crawford County, Cumberland County, Dauphin County (except Harrisburg), Elk County, Ellwood City Borough (Beaver County), Erie County (except Erie City), Fayette County, Forest County, Franklin County, Fulton County, Greene County, Hanover Township (Luzerne County), Haverford Township (Delaware County), Hazleton (Luzerne County), Huntingdon County, Indiana County, Jefferson County, Juniata County, Lackawanna County (except Scranton), Lawrence County, Lebanon County, Lehigh County (except Allentown), Limerick Township (Montgomery County), Lower Merion Township (Montgomery County), Lycoming County (except Williamsport), McKean County, Mercer County, Mifflin County, Monroe County, Montour County, Nanticoke City (Luzerne County), New Kensington City (Westmoreland County),

Norristown Borough (Montgomery County), Northampton County (except Bethlehem), Northumberland County, Perry County, Pike County, Pittston (Luzerne County), Potter County, Scottsdale Borough (Westmoreland County), Schuylkill County, Snyder County, Somerset County, State College (Centre County), Sullivan County, Susquehanna County, Tioga County, Union County, Upper Darby Township (Delaware County), Venango County, Warren County, Wayne County, Wyoming County.

The Agency will accept applications from January 1, 1998 through February 28, 1998 for projects located in the following Participating Jurisdictions for other Agency funds. Reservation of these funds is anticipated to be made in June 1998.

Participating Jurisdictions: Allegheny County Consortium (except Bradford Woods), Allentown, Altoona, Beaver County, Berks County, Bethlehem, Bucks County Consortium (except Bristol Township), Chester City, Chester County, Delaware County (except Chester City, Upper Darby Township), Erie City, Harrisburg, Lancaster City, Lancaster County, Luzerne County (except Hanover Township, Hazleton, Nanticoke, Pittston), Montgomery County (except Abington Township, Conshohocken Borough, Limerick Township, Lower Merion, Norristown), Philadelphia, Pittsburgh, Reading, Scranton, Wilkes-Barre, Williamsport, Washington County, Westmoreland County Consortium (except Arnold, New Kensington, Scottsdale), York City, York County.

The Agency reserves the right to modify, amend or discontinue its programs and/or funding availability at any time.

The Agency is committed to the policy that all persons shall have equal access to its programs and employment without regard to race, religion, gender, national origin, handicap, familial status, or age. Requests for a copy of the 1998 PennHOMES Program Application and Guidelines or requests for information regarding the PennHOMES Pre-Application Workshops may be submitted to Housing Finance Agency, Attn: Joanne Babaian, P. O. Box 8029, Harrisburg, PA 17105-8029, (717) 780-3882, TDD# (717) 780-1869.

WILLIAM C. BOSTIC,  
*Executive Director*

[Pa.B. Doc. No. 97-1270. Filed for public inspection August 8, 1997, 9:00 a.m.]

## INDEPENDENT REGULATORY REVIEW COMMISSION

### Actions Taken by the Commission

The Independent Regulatory Review Commission met publicly at 11 a.m., Thursday, July 17, 1997, and took the following actions:

#### *Regulation Approved:*

#1760 Environmental Quality Board #7-300: Administration of the Land Recycling Program (creates 25 Pa. Code Chapter 250)

*Commissioners Present:* John R. McGinley, Jr., Chairperson; Robert J. Harbison, III, Vice Chairperson; Alvin C. Bush; Arthur Coccodrilli, Dissenting; John F. Mizner

Public Meeting held  
July 17, 1997

*Environmental Quality Board—Administration of the  
Land Recycling Program; Doc. No. 7-300*

### Order

On August 2, 1996, the Independent Regulatory Review Commission (Commission) received this proposed regulation from the Environmental Quality Board (Board). This rulemaking creates 25 Pa. Code Chapter 250 to establish a land recycling program. The authority for this regulation is contained in section 104 of the Land Recycling and Environmental Remediation Standard Act (Act 2) (35 P. S. § 6026.104). The proposed regulation was published in the August 17, 1996 edition of the *Pennsylvania Bulletin* with a 60-day public comment period. The final-form regulation was submitted to the Commission on June 18, 1997.

The intent of Act 2 and this regulation is to provide specific environmental standards that must be followed in the remediation of industrial sites and how attainment of these standards will be determined. Act 2 and the regulation also provide special incentives to encourage the clean-up and reuse of sites located in an enterprise zone. These would apply only to the portions of the property that prevent the property from being occupied for its intended purposes. When a person demonstrates attainment with the standards in the regulation, they receive liability protection from further clean-up obligations.

The Scientific Advisory Board unanimously endorsed the final-form regulation.

The Pennsylvania Waste Industries Association (PWIA) filed comments opposing the solid waste facility requirements in the final-form regulation. CB Commercial/Arnheim & Neely, City of Farrell, Rubinoff Company, Pepper, Hamilton and Scheetz, McGrady Corporation, and Penn Northwest Development Corporation also filed comments expressing concerns on the final-form regulation. The Pennsylvania Electric Association submitted a letter endorsing the regulation, but also expressed concerns with several provisions.

The Department of Environmental Protection (Department) responded to the PWIA's concern that Act 2 and the Solid Waste Management Act (SWMA) are interpreted to work in harmony. The Department indicated that Act 2 did not change the performance and design standards promulgated under the SWMA. Therefore, the Department concluded that the SWMA is controlling for currently operating solid waste facilities.

We have reviewed this regulation and find it to be in the public interest. The regulation will establish a consistent set of remediation standards for the clean-up of contaminated sites in this Commonwealth. In doing so, there will be more incentives to use old industrial sites and reduce the need to develop greenfield sites.

*Therefore, It Is Ordered That:*

1. Regulation No. 7-300 from the Environmental Quality Board, as submitted to the Commission on June 18, 1997, is approved; and

2. The Commission will transmit a copy of this Order to the Legislative Reference Bureau.

JOHN R. MCGINLEY, Jr.,  
*Chairperson*

[Pa.B. Doc. No. 97-1271. Filed for public inspection August 8, 1997, 9:00 a.m.]

### Notice of Filing of Final-Form Rulemakings

The Independent Regulatory Review Commission received, on the dates indicated, the following final-form regulations for review. The regulations will be considered within 30 days of their receipt at a public meeting of the Commission. To obtain the date and time of the meeting, interested parties may contact the office of the Commission at (717) 783-5417. To obtain a copy of the regulation, interested parties should contact the agency promulgating the regulation.

<i>Reg. No.</i>	<i>Agency/Title</i>	<i>Received</i>
12-47	Department of Labor and Industry Lead Occupation Accreditation and Certification	7/24/97
5-60	Department of Community and Economic Development Industrialized Housing and Components	7/24/97
17-57	Pennsylvania State Police Megan's Law	7/29/97
18-336	Department of Transportation Enhanced Emission Inspection	7/29/97

JOHN R. MCGINLEY, Jr.,  
*Chairperson*

[Pa.B. Doc. No. 97-1272. Filed for public inspection August 8, 1997, 9:00 a.m.]

## INSURANCE DEPARTMENT

**Jerilynne Adams; Doc. No. P97-04-024**

*Appeal of Jerilynne Adams; Pennsylvania Assigned Risk Plan*

Under the Pennsylvania Assigned Risk Plan, Section 19, that was adopted by the Insurance Commissioner under 75 Pa.C.S. § 1741, notice is hereby given that Jerilynne Adams has requested a hearing on the determination by the Pennsylvania Assigned Risk Plan Governing Committee of the termination of the above-captioned automobile insurance policy.

The hearing will be held on August 27, 1997 at 10 a.m. in the Capitol Associates Building, 901 North Seventh Street, Suite 200, Harrisburg, PA 17102.

Both parties may appear with or without counsel and offer relevant testimony or evidence to support their respective positions. The hearing will be held in accordance with the requirements of the Administrative Agency Law, 2 Pa.C.S. §§ 501—508 and 701—704; section 8 of The Unfair Insurance Practices Act (40 P. S. § 1171.8) and the regulations set forth at 31 Pa. Code § 59.7(e) (relating to appeal procedure). Under 31 Pa. Code § 59.7(e)(5), procedural matters will be in conformance with the General Rules of Administrative Practice and Procedure, 1 Pa. Code Part II, unless specific exemption is given.



After the hearing, the Insurance Commissioner will issue a written order resolving the factual issues presented at the hearing and stating what remedial action, if any, is required. The Commissioner's Order will be sent to those persons participating in the hearing or their designated representatives. The Order of the Commissioner is subject to judicial review by the Commonwealth Court.

Persons with a disability who wish to attend the above-referenced administrative hearing and require an auxiliary aid, service or other accommodation to participate in the hearing should contact Tracey Pontius, Agency Coordinator at (717) 787-4298.

GREGORY S. MARTINO,  
*Acting Insurance Commissioner*

[Pa.B. Doc. No. 97-1273. Filed for public inspection August 8, 1997, 9:00 a.m.]

### **Application for Acquisition of London Life Reinsurance Company**

Royal Bank of Canada has submitted an application to acquire the issued and outstanding stock of London Life Reinsurance Company from Trilon Financial Corporation. The filing was made under the requirements set forth under the Insurance Holding Company Act, 40 P.S. § 991.1402 *et. seq.* Persons wishing to comment on the acquisition are invited to submit a written statement to the Insurance Department within 30 days from the date of this issue of the *Pennsylvania Bulletin*. Each written statement must include name, address and telephone number of the interested party, identification of the application to which the statement is addressed, and a concise statement with sufficient detail and relevant facts to inform the Insurance Department of the exact basis of the statement. Written statements should be directed to Carolyn Smith, Insurance Company Licensing Specialist, Insurance Department, 1345 Strawberry Square, Harrisburg, PA 17120 (717) 787-1879.

GREGORY S. MARTINO,  
*Acting Insurance Commissioner*

[Pa.B. Doc. No. 97-1274. Filed for public inspection August 8, 1997, 9:00 a.m.]

### **Blue Cross of Northeastern Pennsylvania; Non-Group Rate Increase; Filing No. 318-BCNG-1/98**

Blue Cross of Northeastern Pennsylvania submitted a filing requesting the Insurance Department's approval to increase the monthly rates by 16.70% for the Blue Cross Non-Group Program for an effective date of January 1, 1998. The proposed rate increase will affect about 6,300 policy holders and produce an additional annual premium income of \$1.5 million.

Copies are available for public inspection, by appointment, during normal working hours at the Insurance Department's Office in Harrisburg.

Interested parties are invited to submit written comments, suggestions or objections to Bharat Patel, Insurance Department, Office of Rate and Policy Regulation, Bureau of Accident and Health Insurance, 1311 Straw-

berry Square, Harrisburg, PA 17120, within 30 days after publication of this notice in the *Pennsylvania Bulletin*.

GREGORY S. MARTINO,  
*Acting Insurance Commissioner*

[Pa.B. Doc. No. 97-1275. Filed for public inspection August 8, 1997, 9:00 a.m.]

### **Phillip M. Kofsky, M.D.; Doc. No. MS97-06-013**

*Appeal of Phillip M. Kofsky, M.D.; Pennsylvania Professional Liability Joint Underwriting Association*

The request for a hearing is granted and shall be held on September 10, 1997 at 10 a.m. in the Administrative Hearing Office, 901 North Seventh Street, Suite 200, Harrisburg, PA 17102.

Prehearing Conference is scheduled for August 26, 1997 at 2 p.m. in the Administrative Hearing Office, 901 North Seventh Street, Suite 200, Harrisburg, PA 17102.

Documentation supporting Dr. Kofsky's contention thereto shall be provided to this office and copied to opposing party within 15 days. The opposing party shall file its opposition and supporting documentation within 10 days of Dr. Kofsky's filing. The parties are advised that under 40 P.S. § 24 any information or documents exchanged under this order are absolutely privileged and may not be disclosed to any outside party. Failure to maintain the confidentiality of such information or documentation may result in enforcement action or other civil penalties.

Persons with a disability who wish to attend the above-referenced administrative hearing and require an auxiliary aid, service or other accommodation to participate in the hearing should contact Tracey Pontius, Agency Coordinator at (717) 787-4298.

GREGORY S. MARTINO,  
*Acting Insurance Commissioner*

[Pa.B. Doc. No. 97-1276. Filed for public inspection August 8, 1997, 9:00 a.m.]

### **Required Notice to Policyholders of Mutual-to-Stock Conversions; Notice No. 1997-03**

Under section 803-A(b) of the Insurance Company Mutual-to-Stock Conversion Act (act) (40 P.S. § 913-A(b)) a mutual company whose board of directors has adopted a plan of conversion is required to file an application for conversion with the Insurance Commissioner (Commissioner). This notice is to inform all domestic mutual insurance companies that the Insurance Department (Department) has established procedures relating to notice to policyholders of a conversion of a mutual to stock company under the act. The Department has implemented these procedures to ensure the dissemination of greater information and disclosure to policyholders and other parties potentially interested in a mutual-to-stock conversion filing made with the Department under the act.

This notice is intended to provide guidance to mutual companies with respect to the initial mailing to policyholders (eligible members) of a proposed plan, as well as the final notice of the policyholder meeting and vote. This notice does not apply to applications for conversion under

section 814-A of the act (40 P.S. § 924-A) relating to insolvent companies or companies in financially hazardous condition.

Upon filing of an application for conversion with the Commissioner, section 803-A(b)(7) of the act (40 P.S. § 913-A(b)(7)) requires the mutual company to notify eligible members of the adoption and filing of the plan, as well as of their right to submit written comments on the plan to the Commissioner and the mutual company. Additionally, the Department requires the applicant company to include in this initial mailing, the following information: 1) notice that any eligible member may obtain a copy of the proposed plan from the company, upon request, and 2) notice that the proposed plan has not been approved by the Commissioner, and that it may vary from the final plan, if and when it is approved.

Further, after a plan has been approved by the Commissioner, section 803-A(f) of the act (40 P.S. § 913-A(f)) requires the applicant company to mail notice to eligible members of the meeting to vote on adoption of the plan. With this final mailing, the Department requires the applicant company to include a copy of the final approved plan, as well as notice to eligible members that the Commissioner's approval of the plan does not constitute or imply endorsement of the plan by the Commissioner or the Department.

Although not required under the act, a mutual company considering conversion to the stock form is encouraged to contact Department staff to discuss any and all requirements prior to commencing the process. Should persons have questions or wish to discuss a potential conversion, contact either Steve Harman, Chief of Company Licensing (717) 783-2143, or Will Smith, Director of the Bureau of Licensing and Financial Analysis (717) 787-2735, Insurance Department, Office of Regulation of Companies, 1345 Strawberry Square, Harrisburg, PA 17120.

GREGORY S. MARTINO,  
*Acting Insurance Commissioner*

[Pa.B. Doc. No. 97-1277. Filed for public inspection August 8, 1997, 9:00 a.m.]

### **Review Procedure Hearings; Cancellation or Refusal of Insurance**

The following insureds have requested a hearing as authorized by section 9(a) of the act of June 5, 1968 (P.L. 140, No. 78) (40 P.S. § 1008.9(a)) in connection with their company's termination of the insured's automobile policies.

The hearings will be held in the Capitol Associates Building, 901 North Seventh Street, Second Floor Hearing Room, Harrisburg, PA 17102.

Appeal of Zaslow, Darrell Mark; file no. 97-267-33508; State Farm Mutual Automobile Insurance Company; doc. no. PH97-07-026; August 28, 1997, at 11 a.m.

Parties may appear with or without counsel and offer relevant testimony or evidence to support their respective positions. The representative of the company must bring relevant claims files, documents, photographs, drawings, witnesses and the like necessary to substantiate the case. The insured must bring any evidence which the insured may want to offer at the hearing. The hearing will be held in accordance with the requirements of sections 9 and 10 of the act (40 P.S. §§ 1008.9 and 1008.10) and 1 Pa. Code Part II (relating to the General Rules of Administrative Practice and Procedure).

After the hearing, the Insurance Commissioner will issue a written order resolving the factual issues presented at the hearing and stating what remedial action, if any, is required. The Commissioner's Order will be sent to those persons participating in the hearing or their designated representatives. The order of the Commissioner is subject to judicial review by the Commonwealth Court.

Persons with a disability who wish to attend the above-referenced administrative hearing and require an auxiliary aid, service or other accommodation to participate in the hearing should contact Tracey Pontius, Agency Coordinator at (717) 787-4298.

GREGORY S. MARTINO,  
*Acting Insurance Commissioner*

[Pa.B. Doc. No. 97-1278. Filed for public inspection August 8, 1997, 9:00 a.m.]

### **Review Procedure Hearings under The Unfair Insurance Practices Act**

The following insurer has requested a hearing as authorized by section 8 of The Unfair Insurance Practices Act (40 P.S. § 1171.8) in connection with the termination of the insured's policy.

The hearing will be held in the Capitol Associates Building, 901 North Seventh Street, Second Floor Hearing Room, Harrisburg, PA 17102.

Appeal of Allstate Insurance Company; file no. 97-280-32236; Larry McManus; doc. no. PH97-07-027; September 2, 1997, 11 a.m.

Both parties may appear with or without counsel and offer relevant testimony or evidence to support their respective positions. The representative of the company must bring relevant claims files and other necessary evidence. The insured must bring all documents, photographs, drawings, witnesses and the like necessary to substantiate the case. The hearing will be held in accordance with the requirements of 2 Pa.C.S. §§ 501—508 and 701—704 (relating to the Administrative Agency Law); section 8 of The Unfair Insurance Practices Act (40 P.S. § 1171.8) and the regulations set forth at 31 Pa. Code § 59.7(e) (relating to appeal procedure). Under 31 Pa. Code § 59.7(e)(5), procedural matters will be in conformance with 1 Pa. Code Part II (relating to General Rules of Administrative Practice and Procedure) unless specific exemption is given.

After the hearing, the Insurance Commissioner will issue a written order resolving the factual issues presented at the hearing and stating what remedial action, if any, is required. The Commissioner's Order will be sent to those persons participating in the hearing or their designated representatives. The order of the Commissioner is subject to judicial review by the Commonwealth Court.

Persons with a disability who wish to attend the above-referenced administrative hearing and require an auxiliary aid, service or other accommodation to participate in the hearing should contact Tracey Pontius, Agency Coordinator at (717) 787-4298.

GREGORY S. MARTINO,  
*Acting Insurance Commissioner*

[Pa.B. Doc. No. 97-1279. Filed for public inspection August 8, 1997, 9:00 a.m.]

### **Review Procedure Hearings under The Unfair Insurance Practices Act**

The following insureds have requested a hearing as authorized by section 8 of The Unfair Insurance Practices Act (40 P. S. § 1171.8) in connection with their company's termination of the insured's policies.

The hearing will be held in the Capitol Associates Building, 901 North Seventh Street, Second Floor Hearing Room, Harrisburg, PA 17102.

Appeal of Moeslein, Michael G. and Mary; file no. 97-308-71341; Erie Insurance Exchange; doc. no. P197-07-028; August 28, 1997, 1 p.m.;

Appeal of Gochenaur, Leonard E. and Lori G.; file no. 97-198-02547; State Farm Fire and Casualty Company; doc. no. P97-07-033; September 9, 1997, 1 p.m.

Both parties may appear with or without counsel and offer relevant testimony or evidence to support their respective positions. The representative of the company must bring relevant claims files and other necessary evidence. The insured must bring all documents, photographs, drawings, witnesses and the like necessary to substantiate the case. The hearing will be held in accordance with the requirements of 2 Pa.C.S. §§ 501—508 and 701—704 (relating to the Administrative Agency Law); section 8 of The Unfair Insurance Practices Act (40 P. S. § 1171.8) and the regulations set forth at 31 Pa. Code § 59.7(e) (relating to appeal procedures). Under 31 Pa. Code § 59.7(e)(5), procedural matters will be in conformance with 1 Pa. Code Part II (relating to General Rules of Administrative Practice and Procedure) unless specific exemption is given.

After the hearing, the Insurance Commissioner will issue a written order resolving the factual issues presented at the hearing and stating what remedial action, if any, is required. The Commissioner's Order will be sent to those persons participating in the hearing or their designated representatives. The order of the Commissioner is subject to judicial review by the Commonwealth Court.

Persons with a disability who wish to attend the above-referenced administrative hearing and require an auxiliary aid, service or other accommodation to participate in the hearing should contact Tracey Pontius, Agency Coordinator at (717) 787-4289.

GREGORY S. MARTINO,  
*Acting Insurance Commissioner*

[Pa.B. Doc. No. 97-1280. Filed for public inspection August 8, 1997, 9:00 a.m.]

### **Sales, Purchases, Exchanges, Loans, Extensions of Credits, Guarantees, Investments, Surplus Infusion, Dividends or Distributions, Reinsurance and Other Transactions**

Sales, Purchases, Exchanges, Loans, Extensions of Credits, Guarantees, Investments, Surplus Infusion, Dividends or Distributions, Reinsurance and other transactions which require the prior approval of the Insurance Commissioner as mandated by The Insurance Company Law of 1921 (40 P. S. § 991.1401 et seq.) should be submitted to the Department on or before November 1, 1997, if the filer requires approval on or before December 31. Filings made after November 1, 1997, cannot be guaranteed appropriate review and disposition by the

Department by December 31, 1997. Questions or comments should be directed to Kaushik K. Patel, Chief of Financial Analysis Division, Insurance Department, Regulation of Companies, 1345 Strawberry Square, Harrisburg, PA 17120 at (717) 787-5890.

GREGORY S. MARTINO,  
*Acting Insurance Commissioner*

[Pa.B. Doc. No. 97-1281. Filed for public inspection August 8, 1997, 9:00 a.m.]

### **State Farm Fire and Casualty Company; Revised Automobile Insurance Rates and Rules**

On July 25, 1997, the Insurance Department received from State Farm Fire and Casualty Company a filing of rates and rules for automobile insurance.

The company requests an overall 7.5% increase amounting to \$8,900,000 annually, to be effective October 1, 1997 for new business and November 1, 1997 for renewals.

Unless formal administrative action is taken prior to September 23, 1997, the subject filing may be deemed approved by operation of law.

Copies of the filing will be available for public inspection, by appointment, during normal working hours at the Insurance Department's offices in Harrisburg, Philadelphia, Pittsburgh and Erie.

Interested parties are invited to submit written comments, suggestions or objections to Rick Pawelski, Insurance Department, Office of Rate and Policy Regulation, 1311 Strawberry Square, Harrisburg, PA 17120, within 30 days after publication of this notice in the *Pennsylvania Bulletin*.

GREGORY S. MARTINO,  
*Acting Insurance Commissioner*

[Pa.B. Doc. No. 97-1282. Filed for public inspection August 8, 1997, 9:00 a.m.]

### **State Farm Mutual Automobile Insurance Company; Revised Automobile Insurance Rates and Rules**

On July 25, 1997, the Insurance Department received from State Farm Mutual Automobile Insurance Company a filing of rates and rules for automobile insurance.

The company requests an overall 0.9% decrease amounting to \$9,100,000 annually, to be effective October 1, 1997 for new business and November 1, 1997 for renewals.

Unless formal administrative action is taken prior to September 23, 1997, the subject filing may be deemed approved by operation of law.

Copies of the filing will be available for public inspection, by appointment, during normal working hours at the Insurance Department's offices in Harrisburg, Philadelphia, Pittsburgh and Erie.

Interested parties are invited to submit written comments, suggestions or objections to Rick Pawelski, Insurance Department, Office of Rate and Policy Regulation,

1311 Strawberry Square, Harrisburg, PA 17120, within 30 days after publication of this notice in the *Pennsylvania Bulletin*.

GREGORY S. MARTINO,  
*Acting Insurance Commissioner*

[Pa.B. Doc. No. 97-1283. Filed for public inspection August 8, 1997, 9:00 a.m.]

## LIQUOR CONTROL BOARD

### Expiration of Leases

The following Liquor Control Board lease will expire:

Carbon County, Wine & Spirits Shoppe #1304, 143 South Street, Lehighton, PA 18235-2034

*Lease Expiration Date:* January 31, 1998

Lease retail commercial space to the Commonwealth of Pennsylvania. Proposals are invited to provide the Pennsylvania Liquor Control Board with approximately 2,400 net useable square feet of new or existing retail commercial space within 3 miles of the intersection of PA Routes 902 and 443, Lehighton Borough.

*Proposals due:* September 5, 1997 at 12 noon

**Department:** Pennsylvania Liquor Control Board  
**Location:** Bureau of Real Estate, Brandywine Plaza, 2223 Paxton Church Road, Harrisburg, PA 17110-9661  
**Contact:** Willard J. Rhodes, (717) 657-4228  
JOHN E. JONES, III,  
*Chairperson*

[Pa.B. Doc. No. 97-1284. Filed for public inspection August 8, 1997, 9:00 a.m.]

## PENNSYLVANIA PUBLIC UTILITY COMMISSION

### Interconnection Agreement

**A-310513 F0002. Joint Application for Approval of a Landline/CMRS Transport and Termination Agreement between ALLTEL Pennsylvania, Inc. and Sprint Spectrum L. P., d/b/a Sprint PCS.** ALLTEL Pennsylvania, Inc. and Sprint Spectrum L. P., d/b/a Sprint PCS, by its counsel, filed on July 21, 1997, at the Pennsylvania Public Utility Commission, a Joint Application for approval of an Interconnection Agreement under sections 251 and 252 of the Telecommunications Act of 1996.

Interested parties may file comments concerning the application and agreement with the Secretary, Pennsylvania Public Utility Commission, P. O. Box 3265, Harrisburg, PA 17105-3265. All comments are due on or before 20 days after the date of publication of this notice. Copies of the ALLTEL Pennsylvania, Inc. and Sprint Spectrum L. P., d/b/a Sprint PCS Joint Application are on file with the Pennsylvania Public Utility Commission and are available for public inspection. The contact person is

Cheryl Walker Davis, Director, Office of Special Assistants, (717) 787-1827.

JAMES J. MCNULTY,  
*Acting Secretary*

[Pa.B. Doc. No. 97-1285. Filed for public inspection August 8, 1997, 9:00 a.m.]

### Interconnection Agreement

**A-310547 F0002. Joint Petition of GTE North Incorporated and Hyperion Susquehanna Telecommunications.** GTE North Incorporated and Hyperion Susquehanna Telecommunications, by its counsel, filed on June 26, 1997, at the Pennsylvania Public Utility Commission, a Joint Petition for approval of an Interconnection Agreement under sections 251 and 252 of the Telecommunications Act of 1996.

Interested parties may file comments concerning the petition and agreement with the Secretary, Pennsylvania Public Utility Commission, P. O. Box 3265, Harrisburg, PA 17105-3265. All comments are due on or before 20 days after the date of publication of this notice. Copies of the GTE North Incorporated and Hyperion Susquehanna Telecommunications Joint Petition are on file with the Pennsylvania Public Utility Commission and are available for public inspection. The contact person is Cheryl Walker Davis, Director, Office of Special Assistants, (717) 787-1827.

JAMES J. MCNULTY,  
*Acting Secretary*

[Pa.B. Doc. No. 97-1286. Filed for public inspection August 8, 1997, 9:00 a.m.]

### Service of Notice of Motor Carrier Applications

The following temporary authority and/or permanent authority applications for the right to render service as a common carrier or contract carrier in this Commonwealth have been filed with the Pennsylvania Public Utility Commission (Commission). Publication of this notice shall be considered as sufficient notice to all carriers holding authority from this Commission. Applications will be considered without hearing in the absence of protests to the application. Protests to the applications published herein are due on or before September 2, 1997 as set forth at 52 Pa. Code § 3.381 (relating to applications for transportation of property and persons). The protests shall also indicate whether it applies to the temporary authority application or the permanent application or both.

**Applications of the following for approval of the beginning of the exercise of the right and privilege of operating motor vehicles as common carriers for the transportation of persons by transfer of rights as described under each application.**

**A-00114133. Servelease, Inc.** (5251 Glenloch Street, Philadelphia, Philadelphia County, PA 19124), a corporation of the Commonwealth of Pennsylvania—persons in airport transfer service (1) from points in the city and county of Philadelphia, to the Philadelphia International Airport, in the city and county of Philadelphia and the township of Tinicum, Delaware County; and (2) from

points in the county of Delaware, to the Philadelphia International Airport located in the city and county of Philadelphia and the township of Tinicum, Delaware County; with Right No. 2 subject to the following condition: That no right is granted to provide service: (a) to or from the township of Radnor, Marple and Haverford; (b) to or from the Media Inn in the borough of Media; (c) to or from the Saint Albans Travel Agency in the township of Newton; and (d) to or from points situated west of a line beginning at the intersection of Pennsylvania State Highway Route 252 and the Chester County Line, thence south on Route 252 to its intersection with Pennsylvania State Highway Route 320, thence south on Route 320 to its intersection with the Chester City Line, thence south and east along the Chester City Line to the Delaware River; which is to be a transfer of all of the rights authorized under the certificates issued at A-00107128, Folders 1 and 2 to Philadelphia Airport Shuttle, Inc., subject to the same limitations and conditions. *Attorney:* Edward L. Ciemniecki, One Liberty Place, 32nd Floor, 1650 Market Street, Philadelphia, PA 19103-7393.

**Applications of the following for approval of the right to *begin* to operate as a *broker* for the transportation of *persons* as described under each application.**

**A-00105692, Folder 3. Macaronis Tours, Inc.** (2950 St. Lawrence Avenue, Reading, Berks County, PA 19606), a corporation of the Commonwealth of Pennsylvania—brokerage license—to arrange for the transportation of persons, between points in Pennsylvania. *Attorney:* Christopher Zettlemoyer, Ninth Floor, 213 Market Street, Harrisburg, PA 17101-2132.

**Motor Carrier Applications—Property, Excluding Household Goods In Use**

The following applications for the authority to transport property, excluding household goods in use, between points in Pennsylvania, have been filed with the Pennsylvania Public Utility Commission. Public comment to these applications may be filed, in writing with the Secretary, Pennsylvania Public Utility Commission, P. O. Box 3265, Harrisburg, PA 17105-3265 on or before August 25, 1997.

- A-00114139 Naaman R. Lapp  
HCR 1, Box 7, Spring Glen, PA 17578
- A-00114140 National Inserting Systems, Inc.  
734 Roble Road, Allentown, PA 18103;  
John Mason, Esquire, 1 International  
Place, Boston, MA 02110
- A-00114141 MWK Transport, Inc.  
196 Norman Avenue, Brooklyn, NY  
11222
- A-00114144 Mark Transportation, Inc.  
1200 Fairview Road, Clarks Summit, PA  
18411
- A-00114145 Kenneth R. Widdis, Jr., t/d/b/a K.R.W.  
Trucking  
R. R. 1, Box 1223, Henryville, PA 18332
- A-00114146 LoBiondo Brothers Motor Express, Inc.  
P. O. Box 550, Rosenhayn, NJ 08352;  
Kevin F. Hirsch, Esquire, 1700 Market  
Street, Suite 3232, Philadelphia, PA  
19103

- A-00114147 Ergon Trucking, Inc.  
P. O. Box 1639, Jackson, MS 39208;  
Keith M. Benit, Esquire, 2829 Lakeland  
Drive, Suite 1502 Mirror Lake Plaza,  
Jackson, MS 39208
- A-00114148 John Sensenig, t/d/b/a Sensenig Transport  
22 North Lemon Street, Lititz, PA 17543
- A-00114149 Bernard W. Whiteford  
1728 Main Street, Hastings, PA 16646;  
Blair V. Pawlowski, P. O. Box 658,  
Ebensburg, PA 15931-0658
- A-00114150 Raymond Miller  
P. O. Box 656, 210 Horton Avenue, Shef-  
field, PA 16347
- A-00114151 Melvin J. Smith, Jr., t/d/b/a Melvin J.  
Smith, Jr. Trucking  
2315 Cumberland Avenue, Mount Penn,  
PA 19606; Jeff Kramer, 7 East Philadel-  
phia Avenue, Boyertown, PA 19512
- A-00114152 Dadon, Inc., t/d/b/a D and D Truck Services  
7790 Meadville Road, Erie, PA 16417
- A-00114153 James R. Weaver, t/d/b/a JRW Trucking  
19 South Church Street, Mount Pleasant,  
PA 15666
- A-00114154 Andrew M. Wills, t/d/b/a A. Wills Trucking  
769 Carl Road, Dysart, PA 16636
- A-00114155 Randy S. Claycomb, t/d/b/a Randy  
Claycomb Trucking  
R. D. 1, Box 376, Imbler, PA 16655
- A-00114156 Pine Grove Wood Products, Inc.  
R. D. 3, Box 422A, Emlenton, PA 16373

JAMES J. MCNULTY,  
*Acting Secretary*

[Pa.B. Doc. No. 97-1287. Filed for public inspection August 8, 1997, 9:00 a.m.]

**Telecommunications**

**A-310088F0002. Joint Petition of Bell Atlantic—Pennsylvania, Inc. and Synergistic Communications.** Bell Atlantic—Pennsylvania, Inc. and Synergistic Communications, by its counsel, filed on July 15, 1997, at the Public Utility Commission, a Joint Petition for approval of a Resale Agreement under sections 251 and 252 of the Telecommunications Act of 1996.

Interested parties may file comments concerning the petition and agreement with the Secretary, Pennsylvania Public Utility Commission, P. O. Box 3265, Harrisburg, PA 17105-3265. All comments are due on or before 20 days after the date of publication of this notice. Copies of the Bell Atlantic—Pennsylvania, Inc. and Synergistic Communications Joint Petition are on file with the Pennsylvania Public Utility Commission and are available for public inspection. The contact person is Cheryl Walker Davis, Director, Office of Special Assistants, (717) 787-1827.

JAMES J. MCNULTY,  
*Acting Secretary*

[Pa.B. Doc. No. 97-1288. Filed for public inspection August 8, 1997, 9:00 a.m.]

### Telecommunications

**A-310535. Joint Petition of Bell Atlantic—Pennsylvania, Inc. and Network Access Solutions, Inc. (NAS).** Bell Atlantic—Pennsylvania, Inc. and Network Access Solutions, Inc., by its counsel, filed on June 2, 1997, at the Pennsylvania Public Utility Commission, a Joint Petition for approval of a Collocation, Access to Unbundled Network Elements and Resale Agreement under sections 251 and 252 of the Telecommunications Act of 1996.

Interested parties may file comments concerning the petition and agreement with the Secretary, Pennsylvania Public Utility Commission, P. O. Box 3265, Harrisburg, PA 17105-3265. All comments are due on or before 20 days after the date of publication of this notice. Copies of the Bell Atlantic—Pennsylvania, Inc. and Network Access Solutions, Inc. (NAS) Joint Petition are on file with the Pennsylvania Public Utility Commission and are available for public inspection. The contact person is Cheryl Walker Davis, Director, Office of Special Assistants, (717) 787-1827.

JAMES J. MCNULTY,  
*Acting Secretary*

[Pa.B. Doc. No. 97-1289. Filed for public inspection August 8, 1997, 9:00 a.m.]

### Water Service Without Hearing

**A-222240 F0003. (Transfer of assets). A-222240 F2000, (Abandonment of service) Borough of Millersville.** Application of the Borough of Millersville, Lancaster County, for approval of 1) the transfer, by sale, of water assets and rights to Metropolitan Lancaster Authority and 2) the abandonment by the Borough of Millersville of all water service to the public in portions of Manor Township and Lancaster Township, Lancaster County.

This Application may be considered without a hearing. Protests or petitions to intervene can be filed with the Pennsylvania Public Utility Commission, Harrisburg, with a copy served on the applicant on or before August 25, 1997, under 52 Pa. Code (relating to public utilities).

*Applicant:* Borough of Millersville

*Through and By Counsel:* Robert P. Haynes, III, Esquire, Mette, Evans and Woodside, 3401 North Front Street, P. O. Box 5950, Harrisburg, PA 17110-0950.

JAMES J. MCNULTY,  
*Acting Secretary*

[Pa.B. Doc. No. 97-1290. Filed for public inspection August 8, 1997, 9:00 a.m.]

## PHILADELPHIA REGIONAL PORT AUTHORITY

### Request for Proposals

The Philadelphia Regional Port Authority (PRPA) will accept proposals until 2 p.m. on Thursday, August 21, 1997 for Project No. 97-210-001, (Furnish Flag Poles,

poles only—no installation), and Project No. 97-210-002, (Purchase of New or Used Backhoe). The bid documents can be obtained from the Procurement Administrator, Philadelphia Regional Port Authority (PRPA), 210 West Washington Square, 13th Floor, Philadelphia, PA 19106, (215) 928-9100 and will be available August 12, 1997. PRPA is an equal opportunity employer. Contractor will be required to comply with all applicable equal opportunity laws and regulations.

JAMES T. MCDERMOTT,  
*Executive Director*

[Pa.B. Doc. No. 97-1291. Filed for public inspection August 8, 1997, 9:00 a.m.]

## STATE TAX EQUALIZATION BOARD

### Common Level Ratios

[Correction]

The State Tax Equalization Board (Board) has established a Common Level Ratio for each county in the Commonwealth for the calendar year 1996. The ratios were mandated by Act 267-1982.

The law requires the Board to use statistically acceptable techniques, to make the methodology for computing ratios public and to certify, prior to July 1, the ratio to the Chief Assessor of each county each year.

The statistical technique which the Board used for the 1996 Common Level Ratio is to determine the arithmetic mean of the individual sales ratios for every valid sale received from the county for the calendar year 1996.

The methodology used is to include every valid sale with a ratio from 1% to 100% and compute a mean. Using this mean as a base, the State Tax Equalization Board has defined high and low limits by multiplying and dividing this computed mean by 4. Using these computed limits, the Board has utilized the valid sales, rejecting those sales which exceed the limits. The resulting arithmetic mean ratio is the ratio which the Board is certifying as the Common Level Ratio for each county for 1996.

There is one exception to this procedure. The original mean ratio for those counties which have a predetermined assessment ratio for 1996 of 100% will utilize valid sales from 1% to 200%.

The Common Level Ratios for 1996 follow.

MARTHA BELL SCHOENINGER,  
*Chairperson*

### 1996 COMMON LEVEL RATIOS

<i>County</i>	<i>Ratio</i>
Adams	40.9
Allegheny	20.5
Armstrong	13.7
Beaver	40.9
Bedford	9.8
* Berks	100.2
Blair	12.5
Bradford	45.2
Bucks	4.9
Butler	13.8
Cambria	18.2

<i>County</i>	<i>Ratio</i>
Cameron	42.0
Carbon	8.7
Centre	47.8
Chester	6.2
Clarion	11.0
Clearfield	22.8
Clinton	33.5
Columbia	38.9
Crawford	46.2
Cumberland	7.0
* Dauphin	57.7
Delaware	3.2
Elk	19.0
Erie	8.7
Fayette	11.8
County	Ratio
Forest	32.1
Franklin	7.4
Fulton	20.8
Greene	32.1
Huntingdon	22.1
Indiana	11.1
Jefferson	21.2
Juniata	15.2
* Lackawanna	20.7
* Lancaster	16.2
Lawrence	16.0
Lebanon	9.4
Lehigh	52.9
Luzerne	7.4
Lycoming	53.8
McKean	15.8
Mercer	12.0
Mifflin	13.9
Monroe	23.3
Montgomery	5.3
Montour	10.2
Northampton	55.9
Northumberland	6.9
Perry	9.9
Philadelphia	30.3
Pike	30.3
Potter	13.5
Schuylkill	14.2
Snyder	6.2
Somerset	10.9
Sullivan	35.6
Susquehanna	52.3
Tioga	36.9
Union	20.5
Venango	22.1
Warren	45.1
Washington	22.1
Wayne	9.5
* Westmoreland	28.5
Wyoming	12.2
* York	69.6
* Counties With a Predetermined Assessment Ratio of 100%.	

[Pa.B. Doc. No. 97-1173. Filed for public inspection July 18, 1997, 9:00 a.m.]

## WILD RESOURCE CONSERVATION FUND

### Annual Report for 1997

The Wild Resource Conservation Act (32 P. S. §§ 5301—5314), signed June 23, 1982 by Governor Thornburgh, was the outgrowth of a realization that Pennsylvanians must take a more active role in protecting their rare and endangered species of flora and fauna and those habitats which are critical to their survival.

The act provides for the protection of protected wildlife and native wild plants. The act also established the Wild Resource Conservation Fund as the sole means of financing management work to be carried out under this program. The monies to support the program may only be raised through private contributions, as no general fund revenues from the State Treasury may be used for any purposes of this act. A seven-member Wild Resource Conservation Board was established to administer the conservation program and select the projects and studies which are to be funded.

The Board's members represent those State government agencies which are responsible for managing the Commonwealth's flora and fauna. The members are: Secretary, Department of Conservation and Natural Resources; Executive Director, Fish and Boat Commission; Executive Director, Game Commission; Majority and Minority Chairpersons of The House Committee on Environmental Resources and Energy and the Minority and Majority Chairpersons of The Senate Environmental Resources and Energy Committee. The Chairmanship of the Board rotates on an annual basis between the members.

The centerpiece of the legislation is the establishment of a special fund which, for the first time, enables Pennsylvania's citizens to support the protection of wild plants and protected wildlife through voluntary, tax deductible contributions. The most creative source of funding is the opportunity for Pennsylvania's taxpayers to donate all or a portion of their State income tax refund to the Wild Resource Conservation Fund. Those who do not receive a State tax refund may also support this conservation program with a direct contribution.

Pennsylvania was 18th on the growing list of states providing tax checkoff funding for protected wildlife programs. While the list now numbers 34 states, Pennsylvania's law is unique in that it also focuses on protecting the Commonwealth's native wild plants. Tax checkoffs are a relatively new concept in raising funds for wildlife, with Colorado being the first to initiate such a program in 1977.

### Program Objectives

The research and management programs funded and authorized by the Wild Resource Conservation Board will be carried out by Pennsylvania's three natural resource agencies: the Department of Conservation and Natural Resources (DCNR); the Fish and Boat Commission (FBC); and the Game Commission (GC). Professional and technical staff members from each of the agencies are responsible for developing comprehensive management programs to ensure the future welfare of wild plants and nongame wildlife. Previously, monies for this area of wildlife management were either nonexistent or very limited. The fund represents a major source of revenue focused on this specific area of long neglected wildlife management.

Among the Wild Resource Conservation Board's activities will be programs dealing with those species of nongame wildlife and wild plants which are classified as being either endangered or threatened. The three agencies have combined their efforts in a program to identify all such species found in Pennsylvania. The DCNR, FBC and GC have been working with the Western Pennsylvania Conservancy, The Nature Conservancy, Morris Arboretum and the Carnegie Museum of Natural History on this study entitled, Pennsylvania Natural Diversity Inventory (PNDI). The species of flora and fauna found to be endangered or threatened have been classified as special concern and it is this special concern group which will receive the immediate attention of the Board.

The Wild Resource Conservation Act requires the Department of Conservation and Natural Resources to conduct investigations on wild plants in order to ascertain information relating to populations, distribution, habitat needs, limiting factors and other biological and ecological data to classify plants and to determine management measures necessary for their continued ability to sustain themselves successfully.

The Department of Conservation and Natural Resources, through the PNDI, has developed a computerized database containing location and ecological information about Pennsylvania's rare native plants; unique plant communities; special concern animals reptiles, amphibians and fish; and significant geologic features. The system can be quickly and precisely queried to show the number and location of significant biological resources.

The plant information contained in the PNDI will be of great assistance in classifying plants as endangered, threatened or vulnerable as outlined in the Wild Resource Conservation Act. The Department of Conservation and Natural Resources has promulgated regulations based on the PNDI findings. The regulations established limitations relating to taking, possessing, transporting, exporting, processing, sale or offer for sale, or shipment of endangered, threatened or vulnerable classified native wild plants.

The Game Commission has always been involved, either directly or indirectly, with protected wildlife management. Game management practices, game land holdings, regulated hunting seasons and other factors have aided Pennsylvania's protected wildlife species. The Game Commission has, historically, aimed the greater majority of its management programs at game species to meet the desires and needs of sportsmen who support these programs through license fees. The Game Commission is broadening its protected wildlife management involvement through its Working Together for Wildlife Program and with monies available from the Wild Resource Conservation Fund.

The Fish and Boat Commission is charged with managing Pennsylvania's reptiles and amphibians in addition to its work with game fish and the protection of our waterways. The Fish and Boat Commission has organized itself to address the needs of this group of animals which have not received the attention shown other nongame animals such as raptors and song birds. Reptiles and amphibians, too, have seen drastic changes in their environment which have led to their decreasing numbers. The continual loss of wetland habitat is the factor most responsible. To help solve this problem, the Board has the authority to allocate monies from the Wild Resource Conservation Fund to purchase habitat deemed critical to the survival of any endangered or threatened species.

#### **Wild Resource Conservation Fund 1996—1997 Projects**

The Wild Resource Conservation Board met for its annual meeting on November 12, 1996 and approved funding for 56 projects in the amount of \$707,081. A total of 84 applications were received requesting \$1,308,863.31 in funding. The money allocated was received from taxpayers donating their tax refunds to the Wild Resource Conservation Fund and wildlife license plate sales. The following projects will protect and help manage the Commonwealth's non-game and wild plant species:

<i>Project</i>	<i>Sponsor</i>	<i>Amount</i>
• Ecology & Distribution of Endangered Sedge, <i>Scirpus ancistrochaetus</i>	Penn State—Dr. William Dunson	\$7,464
• Production of Outreach Tools	Rodale Institute—Cyane Gresham	\$9,950
• Herbarium & Field Studies of PA Plants of Special Concern	Carnegie Museum—Sue Thompson	\$17,310
• Development of Educational Materials of PA Native Wild Plants	Carnegie Museum—Sue Thompson	\$23,000
• Field, Herbarium & Literature Surveys, Work on the Field Manual of PA Plants and Environmental Review	Morris Arboretum—Ann Rhoads	\$35,000
• Herbarium Studies of Plant Species of Concern in Eastern PA	The Nature Conservancy—John Kunsman	\$20,000
• Investigation into the historic and extant distribution of <i>Amelanchier canadensis</i>	Carnegie Mellon—W. Ann Robinson	\$928.00
• Field Studies of PA Plants of Special Concern	Shippensburg Univ.—Larry Klotz	\$4,500
• Field Surveys for <i>Aster radula</i> , <i>Solidago speciosa</i> and other rare <i>Aster</i> and <i>Solidago</i> species	Dickinson College—Carol Loeffler	\$1,044
• Rare Plant and Natural Community Inventories of Northwestern PA	Cleveland Museum of Natural History—Kathy Fouts	\$15,000
• An allozymal study laurentian bladder fern from Centre Co., PA	Millersville Univ.—James C. Parks	\$550



<i>Project</i>	<i>Sponsor</i>	<i>Amount</i>
• Public Wild Plant Sanctuary Network	Western PA Conservancy	\$42,000
• Continuation of Field Surveys of Plants of Special Concern	Western PA Conservancy	\$22,385
• Herptological Educational Curriculum	Carnegie Museum of Natural History/ Powdermill Nature Reserve Terri Kromel	\$6,100
• Writing of Publication of the Freshwater Bivalves of PA	Arthur Bogan	\$15,000
• Status survey of Rare Fishes of Special Concern in the Delaware River Drainage of PA	Robert Criswell	\$1,595
• Aquatic Craneflies of PA: A preliminary checklist & database development	Carnegie Museum/Academy of Natural Science Chen W. Young/Jon Gelhaus	\$17,050
• Status of Indigenous Lampreys in PA	Penn State—Jay Stauffer	\$40,705
• Conservation and management of fish, herptiles and aquatic species special projects	PA Fish & Boat Commission/ The Nature Conservancy—Andy Shiels	\$40,000
• PA Herpetological Atlas Project	Indiana Univ.—Arthur E. Hulse	\$13,000
• In Situ Video of PA's Fresh Water Fish Fauna	Penn State—Jay Stauffer	\$17,607
• GIS Mapping of Trichoptera (caddisfly) and Plecoptera (stonefly) distribution in PA	Behrend College—E C Masteller	\$5,670
• Application of Geographical Information System Technology to Fish Conservation in PA	Penn State—Robert Carline	\$24,723
• Wild Action Grant	PA Game Commission-Theresa Alberici	\$2,500
• Status and Distribution Study of the Yellow-Bellied Flycatcher	Ecology III—Douglas Gross	\$4,000
• Monitor Populations of Louisiana Waterthrush in acidified and unpolluted stream habitats	Carnegie Museum of Natural History/Powdermill Nature Reserve—Robert S. Mulvihill	\$9,000
• Protection of significant bat maternal site and restoration of adjacent farm fields	Allegheny National Forest—Brad Nelson	\$10,000
• Small mammal community structure and dynamics in old growth forests: A long term ecological study	Shippensburg University—Dr. Gordon Kirkland	\$7,000
• Endangered Mammal Species Research and Management	The Nature Conservancy—Jim Hart	\$20,000
• Survey of bats at Canoe Creek State Park with Special Emphasis on the "Little Brown Bat"	Penn State—Dr. Michael Gannon	\$4,500
• Northern flying squirrels and northern water shrews as indicators of habitat quality in sensitive ecosystems of northeast PA	Wilkes Univ.—Michael Steele	\$8,500
• Long-term ecological research: Small mammals as indicators of the health of PA Forest Ecosystems	Powdermill Environmental Station—Dr. Joseph Merritt	\$7,000
• Maintenance of the Official List of the Birds of PA	PA Ornithological Records Committee—Paul Schwalbe	\$1,500
• Young Ornithologists—research that educates	Academy of Natural Science Dr. Robert Ridgeley/Sally Conyne	\$10,000
• An adopt-a-kestrel-nestbox program of PA school children	Hawk Mt.—Keith Bildstein/Bill Hilton	\$14,000
• Preparation and Curation of special concern mammals and bird specimens generated by PA Game Commission & Wild Resource Conservation Fund research	Shippensburg Univ.—Dr. Gordon Kirkland	\$2,000
• Stabilization of bat nursery church	Canoe Creek State Park—Terry Wentz	\$4,000
• Wildlife Biodiversity associated with a new forestry practice in PA	Penn State—Richard Yahner	\$19,000
• Radiotelemetry study of experimental recolonization of an allegheny woodrat	Dickinson College—Janet Wright	\$3,500
• Biodiversity Conservation of Butterflies & Skippers in PA	Richard Yahner	\$5,000

<i>Project</i>	<i>Sponsor</i>	<i>Amount</i>
• Avian nesting success, species, diversity, and guild composition in fenced and unfenced riparian habitats in southwest PA	California Univ.—Gary Popotnik	\$8,000
• Status and Distribution of Reintroduced River Otter and Fisher Populations in PA	Penn State—Tom Serfass	\$13,000
• Reintroduction of Fishers to the Allegheny National Forest in Northwestern PA	Penn State—Tom Serfass	\$20,000
• PA Important Bird Areas	Mid-Atlantic Region National Audubon Society—Walter Pomeroy	\$19,000
• Landscaping for Wildlife in PA	Sweet Arrow Communications—Marcus Schneck	\$19,000
• Osprey Monitoring	East Stroudsburg University—Larry Rymon	\$3,500
• Birds: Special Areas Project	Ecology III, Doug Gross	\$9,000
• Promote Awareness of Wild Resource Conservation Fund	Robert & Thelma Clark	\$15,000
• Public Relations Tool: New York & Pennsylvania Joint Otter Reintroduction in Allegheny Drainage	Penn State—Tom Serfass	\$10,000
The WRCF will match local contributions up to \$10,000		
Private Sector donations from Scrubgrass Generating Plant		\$5,000
Ducks Unlimited		\$850
Audubon Bartramian Chapter		\$800
• Interpretative Exhibit at the Elk Viewing Area	PA Game Commission—Theresa Alberici	\$4,000
• Schoolyard Habitat Facilitator Training Workshops	Audubon Council of PA—Marci Mowery	\$12,500
• Biodiversity in PA: A curriculum supplement for PA Middle Schools	PA Biological Survey—Theresa Alberici	\$12,500
• Completion & Implementation of a Comprehensive Wildlife Management Plan	PA Fish & Boat Commission—Brian Barner	\$12,500
• Wild Resource Elementary Workshop	Slippery Rock—Paulette Johnson	\$4,000
• Natural Community (Habitat) Classification for Caves in PA	The Nature Conservancy—Barbara Barton-Aldrich	\$8,000
• Barrens Habitat Survey—PA Invertebrate Inventory Project	Carnegie Museum of Natural History—John Rawlins	\$25,000

#### *Wild Resource Conservation Board Members*

John Oliver, Secretary  
 Department of Conservation and Natural Resources  
 Honorable Peter A. Colangelo, Executive Director  
 PA Fish and Boat Commission  
 Honorable Donald C. Madl, Executive Director  
 PA Game Commission  
 Honorable Raphael J. Musto  
 Majority Chairperson  
 Senate Environmental Resources & Energy Committee  
 Honorable Roger A. Madigan  
 Minority Chairperson  
 Senate Environmental Resources & Energy Committee  
 Honorable Robert Reber  
 Majority Chairperson  
 House Committee on Environmental Resources & Energy  
 Honorable Camille "Bud" George  
 Minority Chairperson  
 House Committee on Environmental Resources & Energy

The Balance Sheet and Statement of Unreserved Fund Balance provided were prepared by the Comptroller's Office on a cash basis of accounting, combined with an encumbrance budgetary system. They were not prepared in accordance with General Accepted Accounting Principles.

#### Department of Conservation and Natural Resources Wild Resource Conservation Fund Statement of Unreserved Fund Balance for the period ended June 30, 1997

Unreserved Fund Balance, Beginning	\$2,608,823.70
Revenue Received:	
Income Tax Check-offs	\$297,043.97
Voluntary Donations	14,674.78
Income from "Osprey" Film	6,003.55
Wild Plants License/Permits	1,895.00
River Otter Reintroduction	1,045.00
Sale of Publications	24,702.20
Wild Resource License Plate	108,177.00
Wild Resource Tee Shirts	6,604.79
Interest on Securities	149,402.02
Total Revenue Received	\$609,538.31

Prior Year Commitment Liquidation's	\$ 84,496.76
Total Funds Available	\$3,302,868.77
Deductions:	
Administrative Expenses	\$351,104.71
Administrative Commitments (1)	61,842.90
Project Expenses (2)	582,140.99
Project Commitments (3)	926,902.15
Total Deductions	\$1,921,990.75
Unreserved Fund Balance, Ending	\$1,380,878.02

(1) This figure does not include administrative commitments of \$28,588.01 contingently committed against future years spending authorizations.

(2) This figure does include \$240,494.71 in expenses from special projects approved by the WRCF Board.

(3) This figure does not include project commitments of \$591,786.50 (of which \$165,430.00 are special projects) contingently committed against future years spending authorizations. This figure does include \$274,801.78 in special projects approved by the WRCF Board

(PREPARED BY COMPTROLLER'S OFFICE)

Department of Conservation and Natural Resources  
Wild Resource Conservation Fund  
Balance Sheet  
June 30, 1997

#### ASSET

Cash	\$ 763.97
Temporary Investments	\$2,399,000.00
Total Assets	\$2,399,763.97

#### LIABILITIES AND FUND EQUITY

##### LIABILITIES

Vouchers Payable	\$30,140.90
Total Liabilities	\$30,140.90

##### FUND EQUITY

Unreserved Fund Equity	\$1,380,878.02
(1) Reserved for Administrative Commitments	61,842.90

##### FUND EQUITY

(2) Reserved for Wild Resource Projects	926,902.15
Total Fund Equity	\$2,369,623.07
Total Liabilities and Fund Equity	\$2,399,763.97

(1) This figure does not include administrative commitments of \$28,588.01 contingently committed against future years spending authorizations

(2) This figure does not include project commitments of \$591,786.50 (of which \$165,430.00 are special projects) contingently committed against future years spending authorizations. This figure does include \$274,801.78 in special projects by the WRCF Board.

(PREPARED BY COMPTROLLER'S OFFICE)

#### Public Hearing

The Wild Resource Conservation Board has scheduled a public hearing for Wednesday, September 10, 1997, 1 p.m.

at the Game Commission Office, 2001 Elmerton Ave., Harrisburg. The purpose of the hearing is to provide individuals and organizations the opportunity to comment on the recommendations and programs funded with monies from the Wild Resource Conservation Fund. The Wild Resource Conservation Board is interested in hearing from any individual or organization that wishes to make comment on the projects submitted for funding to the agencies, Game Commission, Fish and Boat Commission or the Department of Conservation and Natural Resources list published in this issue of the *Pennsylvania Bulletin*. Agencies project recommendations for funding will be presented at the public hearing.

Only comments from the general public regarding the projects received will be heard at the September 10, 1997 Public Hearing.

The Board will then evaluate all recommendations submitted for its consideration and final funding decisions will be approved at the annual meeting on November 13, 1997.

#### Annual Meeting

The Wild Resource Conservation Board will hold its annual meeting on Wednesday, November 13, 1997, 1 p.m. at the Game Commission Office, 2001 Elmerton Avenue, Harrisburg. A full report will be presented on the allocation of monies from the Wild Resource Conservation Fund. The Board will consider all presentations made at the public hearing and the plans outlined by the professional technical staffs of the Fish and Boat Commission, Game Commission and Department of Conservation and Natural Resources.

The recommendations funded by the Board will be administered by the Fish and Boat Commission, the Game Commission and the Department of Conservation and Natural Resources. The recommendation selections will be based on their individual contribution to the management goals of three agencies and those outlined in the Wild Resource Conservation Act.

The following list includes the project recommendations requesting funding for 1997-1998 received by the Wild Resource Conservation Board. The public is invited to offer comment at the public hearing on September 10, 1997. The public hearing will be held at the Game Commission Headquarters, 2001 Elmerton Ave. at 1 p.m. Please limit comments to 5 minutes and provide eight copies for the Wild Resource Conservation Board.

#### Project Submissions to DCNR for WRCF Funding in 1997

- *Title:* Pennsylvania Invertebrate Inventory Project: Completion of Barrens Habitat Survey

*Objective:* Third and final year of project to document invertebrates and associated vegetation at 6 different types of barrens communities in PA and to assess faunistic differences between those sites to understand and maintain such diversity.

*Justification:* Better understanding of invertebrates from barrens communities will ultimately allow assessment of their importance for maintaining biodiversity at specific sites is necessary for effective management of those habitats and surrounding landscapes.

*Sponsor:* Carnegie Museum—John Rawlins

*Cost:* \$13,622

- *Title:* Herbarium and Field Studies of Pennsylvania Plants of Special Concern

*Objective:* Record data and verify specimens of POSCIP plants; provide herbarium services to Heritage Program; document new plant taxa for PA; conduct field surveys for POSCIP plants.

*Justification:* Monitoring and conserving Pennsylvania's plant biodiversity is dependent on the most complete and accurate information possible, including data from current field surveys. Activities proposed here will increase both the accuracy and breadth of the data upon which environmental review decisions are based.

*Sponsor:* Carnegie Museum of Natural History—Sue Thompson

*Cost:* \$16,845

- *Title:* Field Herbarium & Literature Surveys, Field Manual of the Plants of PA, PA Flora Project Web Site and Environmental Review

*Objective:* Surveys are intended to continue to collect the information necessary to refine the classification of plants currently listed as temporarily undetermined (TU) on the Plants of Special Concern list, Preparation of keys and illustrations for the field manual of the plants of PA, staff availability for environmental review services for Bureau of Forestry

*Justification:* Species currently listed as TU require study before a more accurate classification status can be recommended. A botanical artist has been secured to provide drawings of critical features to accompany keys and descriptions as an aid to identification. Extensive experience and expertise of the Morris Arboretum Botany Dept. will be available for consultation and/or field visits in eastern PA for PNDI environmental reviews.

*Sponsor:* Morris Arboretum—Ann Rhoads

*Cost:* \$40,000

- *Title:* Studies of Plant Species of Special Concern in Eastern Pennsylvania

*Objective:* The project will involve work in the field, office and herbarium in order to maintain, refine, and augment data concerning plant species of special concern in the eastern half of PA

*Justification:* The infusion of new, updated, and revised data from the project will enhance the PNDI database, the POSCIP list, the state environmental review process, and public and private conservation efforts.

*Sponsor:* The Nature Conservancy—John Kunsman

*Cost:* \$25,000

- *Title:* Databasing the Pennsylvania Vascular Collection at YUO

*Objective:* To make available for use by PNDI and POSCIP and others the vascular collection of YUO. The database will be in Paradox 4.0

*Justification:* When the PA flora was being written, Rhoads and Klein did not respond to an invitation to use YUO with approximately 11,000 vascular specimens from PA.

*Sponsor:* Youngstown State University—Carl Chuey

*Cost:* \$5,750

- *Title:* Patterns of Pollen Transfer, Seed Set, and Genetic Variation in Three *Cypripedium* Taxa in PA—Is there evidence of inbreeding depression?

*Objective:* Electrophoretic study of isolated subpopulations, analysis of fruit set and pollen transfer, and

determination of germination rate for outcrossed and selfed individuals to assess for inbreeding depression.

*Justification:* Due to decline in numbers of individuals and numbers of remaining populations in the state, it is imperative that we survey and assess remaining subpopulations for reproductive fitness and genetic make-up.

*Sponsor:* Penn State—Debra Arnoldsen

*Cost:* \$875

- *Title:* A Historical Analysis of the Natural Vegetation of Western PA

*Objective:* Determination of species composition, structure, environmental determinants, and spatial extent of western PA's presettlement forests from historical records.

*Justification:* A better understanding of the state's presettlement forests is needed to improve our ability to identify and manage the remaining old-growth forest communities and ecosystems.

*Sponsor:* Dr. Gordon Whitney

*Cost:* \$15,740

- *Title:* Wild Seeds

*Objective:* To increase awareness of PA's native wildflower species, to encourage the use of native wildflower species in habitat improvement projects on schools, community areas and in backyards.

*Justification:* While conducting workshops with teachers and homeowners throughout the state, the sponsoring agencies and organizations have found a great interest and use of wildflower seed mixes, however these mixes do not reflect native PA species. PA native seed packets are not readily available.

*Sponsor:* PA Game Commission—Theresa Alberici

*Cost:* \$6,000

- *Title:* Rare Plant and Natural Community Inventories of Northwestern PA

*Objective:* The department will continue searching for new records of Plants of Special Concern in PA and updating historical POSCIP records. The Dept. will continue long term stewardship projects at Presque Isle.

*Justification:* Since 1985 the Museum Botany Dept. has found hundreds of POSCIP records and discovered several dozen significant areas that were not previously documented. Several dozen new POSCIP records were discovered in 1996. A pondweed listed as extirpated in PA was discovered at Presque Isle Bay. Significant Lake Erie Bluff seepage was discovered within Northeast Township, and only the extant population of Malais brachypoda was discovered within Erie County.

*Sponsor:* The Cleveland Museum of Natural History—Kathy Fouts

*Cost:* \$15,000

- *Title:* Management of Pennsylvania's Public Wild Plant Sanctuary Network

*Objective:* To implement the Public Wild Plant Sanctuary Network established by Section 10 of the Wild Resource Conservation Act.

*Justification:* The Bureau of Forestry needs assistance in the identification of potential plant sanctuaries on public lands. These areas must be mapped and written management plans must be developed.

*Sponsor:* Western PA Conservancy—Charles Bier

*Cost:* \$44,500

- *Title:* Botanical Studies Related to the conservation of the flora of PA in conjunction with the PA Natural Diversity Inventory

*Objective:* To provide botanical expertise and services through field surveys for new species added to the special concern list, field surveys to known sites that have not been recently checked, and to provide other services to the PNDI program: quality control of data, and the like.

*Justification:* Bureau of Forestry must have this information and these services to conduct its responsibilities related to the protection of vascular flora of PA.

*Sponsor:* Western PA Conservancy—Charles Bier

*Cost:* \$27,790

**Project Submissions Submitted to the Fish and Boat Commission for Funding in 1997**

- *Title:* Aquatic craneflies of PA: A preliminary checklist and database development

*Objective:* Expand sampling on Aquatic Craneflies statewide concentrating on rare, threatened and special concern species and species possibly extirpated; assemble distribution data and distribute database of State records.

*Justification:* This is a species at risk. This study will identify if additional sites are occupied by the species, delineate its population levels at these sites, point out possible factors impacting long term maintenance of the population, and allow resource managers and regulatory agencies make informed decisions regarding land use.

*Sponsor:* Carnegie Museum/Academy of Natural Sciences—Chen Young/Jon Gelhaus

*Cost:* \$6,000

- *Title:* Population Dynamics and Fish Host Identification for Rare Atlantic Slope Mussels in PA

*Objective:* Conduct field and laboratory studies to identify critical populations of rare Atlantic Slope freshwater mussels in Pennsylvania, determine size, structure and genetic makeup of these populations, and identify existing potential fish hosts.

*Justification:* Four Atlantic slope mussel species have been identified as potential candidates for listing as endangered by the Commonwealth. Information on the location and extent of these remaining mussel populations their genetic relationship and their fish hosts are required before more effective preservation can occur.

*Sponsor:* United States Geological Survey—William Lellis

*Cost:* \$43,470

- *Title:* Aquatic Beetle Fauna of Pennsylvania

*Objective:* Examine entomological collections for aquatic beetles in educational and research institutions in the northeastern US, collect and identify beetles adults, larvae in areas where aquatic fauna is little known or poorly collected, develop database for Pennsylvania aquatic Coleoptera, produce a fauna list of aquatic beetles of Pennsylvania, produce guide to identification of aquatic Pennsylvania beetles.

*Justification:* Management of aquatic ecosystems require information on biological resources of which aquatic beetles are poorly known in Pennsylvania This study will provide the first account of the aquatic beetles of Pennsylvania.

*Sponsor:* Penn State—Dr. K C Kim/R P Withington III

*Cost:* \$18,602

- *Title:* Pennsylvania Paddlefish Restoration: Population Assessment Segment

*Objective:* To determine the current status and relative abundance of paddlefish in Pennsylvania, establish survival of paddlefish in order for FBC to direct efforts towards restoration of the other big river species, develop educational fact sheet on paddlefish restoration in Pennsylvania.

*Justification:* Limited data exists of success of paddlefish stocking and distribution of these fish. FBC work schedules do not permit work to be done in-house.

*Sponsor:* Aquatic Systems a Service of McLaren/Hart—Robert Shema/Patrick Bonislowsky

*Cost:* \$31,000

- *Title:* Fishes of Pennsylvania

*Objective:* Publication to provide the definitive resource and reference work for the state on this subject. It will provide technical information required by the professional and academic, yet be useful and attractive to teachers students, and the general public.

*Justification:* Significantly updates available information and increases the understanding of the status of many Commonwealth species giving a high quality resource material to researchers, educators, students, planners, recreationists, politicians and interested citizens.

*Sponsor:* Penn State—Jay Stauffer

*Cost:* \$39,042

- *Title:* Reevaluation of Pennsylvania's Crayfishes: Ortmann 1906 to the Present

*Objective:* Write a summary of the state of knowledge for Pennsylvania crayfishes, review all significant collections of Pennsylvania crayfishes, create a Pennsylvania crayfish database, and plan/begin a systematic sampling of the six drainage basins.

*Justification:* Pennsylvania's crayfishes have not been censused since Ortmann 1906. "Holes" in the survey include much of the NE/NC Susquehanna drainage, lakes, bogs, and caves. Native and non/native species distribution is not well known.

*Sponsor:* Lock Haven University—Ted R. Nuttall

*Cost:* \$6,100

- *Title:* The Effect of Forest Management Practices on Vernal Woodland Pond Amphibians

*Objective:* Changes in the forest community surrounding these vernal ponds can potentially impact this unique amphibian community in two ways: 1. Changes may affect the woodland habitat of the adult amphibians 2. Changes may indirectly impact the growth and survival of amphibian larvae by affecting conditions in vernal ponds such as exposure to sunlight, temperature and pond duration. We propose to investigate how timber harvest in the surrounding forest affects the amphibian community that utilizes vernal ponds.

*Justification:* Pennsylvania is home to extremely diverse amphibian fauna. One of the most diverse amphibian communities occurs in and around vernal woodland ponds. These shallow pools, which usually fill with water in later winter or early spring, are visited by a variety of woodland salamanders, frogs, and toads which breed, lay eggs and return to the terrestrial forest habitat.

*Sponsor:* Shippensburg University—Timothy J Maret/  
Randy W. Cassell

*Cost:* \$5205.81

- *Title:* Conservation and Management of Fish, Herptiles and Aquatic Species—Special Projects

*Objective:* To complete a series of specific projects related to the monitoring, research and management of nongame fish, amphibians, reptiles and aquatic organisms.

*Justification:* 46 fishes, 12 amphibians and reptiles and 2 freshwater mussel species are presently on the Pennsylvania endangered, threatened and/or candidate lists. Project reviews, special studies and data management to adequately address the conservation of these species will be accomplished by these special projects.

*Sponsor:* FBC—Andy Shields

*Cost:* \$40,000

- *Title:* Herptile Atlas Pilot Project

*Objective:* The atlas is an effort to determine in detail the Statewide distribution of all species of amphibians and reptiles occurring within the borders of Pennsylvania.

*Justification:* Pilot project will act as a proving ground to test procedures such as setting up the volunteer network, reporting results, and sending out program reports. The pilot project is designed to last for 2 years and survey Armstrong, Indiana, and Westmoreland counties in western Pennsylvania.

*Sponsor:* Indiana University—Arthur C. Hulse

*Cost:* \$44,710

#### **Projects Submitted to the Game Commission for Funding in 1997**

- *Title:* Distribution and Timing of Northern Saw-whet owl migration across Southeast Pennsylvania

*Objective:* To set up a migration banding station network across a portion of Pennsylvania train volunteers to run stations, public education, assess migration parameter important to northern saw-whet owls, an investigate winter ecology of those individuals wintering in Pennsylvania.

*Justification:* From work in 1996 it became apparent that a previously unknown saw-whet owl migration occurs in Southeast PA. We wish to document this migration through public involvement at banding stations contributing to overall natural history and environmental appreciation.

*Sponsor:* Eric and Melonie Atkinson, Todd Bauman, Scott Weidensaul

*Cost:* \$19,040

- *Title:* Reintroduction of Fishers to the Allegheny National Forest in Northwestern Pennsylvania

*Objective:* Obtain fishers for reintroduction from New Hampshire and New York, implement captive care and evaluation program, evaluate and monitor fates of reintroduced fishers, establish a public relations program.

*Justification:* Improved wildlife and forest management techniques have enabled state wildlife agencies to successfully reintroduce fishers to portions of their former range.

*Sponsor:* Penn State—Tom Serfass

*Cost:* \$19,900

- *Title:* Status and Distribution of reintroduced river otter to the Allegheny River in Northwestern Pennsylvania

*Objective:* To restore extirpated river otter populations throughout the upper Allegheny River.

*Justification:* This project will continue work to restore river otter populations to the Allegheny River

*Sponsor:* Penn State—Tom Serfass

*Cost:* \$12,500

- *Title:* Feasibility of Reintroducing Pine Martens to the Allegheny National Forest

*Objective:* To determine if suitable habitat conditions exist in the Allegheny National Forest and elsewhere in Pennsylvania for reintroduction of pine martens.

*Justification:* Martens are native to Pennsylvania but became extirpated about 100 years ago. This project will establish guidelines for returning them to the Commonwealth.

*Sponsor:* Penn State—Tom Serfass

*Cost:* \$2,659

- *Title:* Pennsylvania BayScapes Urban Initiative

*Objective:* Educate citizens about practices that enhance biological diversity and protect water quality within their own urban community. Participant of the workshop/seminar will learn that the utilization of low input landscape management concepts and technique can result in functional and aesthetically pleasing landscape results. The workshop will be a 'hands-on' workshop and model site planting which will be targeted to those who have adopted a city lot and urban leaders.

*Justification:* In cooperation with the United States Fish and Wildlife Service/Chesapeake Bay Field Office has been developing the BayScapes program since 1992 and conducted numerous workshops, seminars, field trips and other outreach programs primarily in Maryland and Virginia portion of the Chesapeake Bay watershed. The Alliance would like to continue the BayScapes message in Pennsylvania into the urban setting.

*Sponsor:* Alliance for the Chesapeake Bay—Rebecca Wertime

*Cost:* \$10,887.50

- *Title:* Wild Action Grant

*Objective:* To encourage youth to take responsible action to help wildlife by improving habitat for wildlife on school and community grounds.

*Justification:* Over 300 schools are interested in improving habitat for wildlife on school and community grounds. These schools need funding to help conduct habitat projects.

*Sponsor:* Game Commission—Theresa Alberici

*Cost:* \$4,000

- *Title:* Special Areas Project

*Objective:* Obtain information about birds found at many Pennsylvania locations and shares this information with appropriate government agencies, research and education institutions, interested conservation groups and the general public. Special areas being inventoried include Pennsylvania State Park, DCNR Natural Areas and Wild Areas, Bureau of Forestry forestlands, GC lands, county parks municipal parks and private sanctuaries.

*Justification:* Volunteers inventory birds throughout the year and document the number of individuals of each species observed, breeding behavior. The data collected will be used to determine the status, abundance, frequency and seasonal occurrence of each species.

*Sponsor:* Ecology III—Douglas A. Gross

*Cost:* \$14,000

- *Title:* Small mammal community structure and dynamics in old growth forests: A long term ecological study

*Objective:* To continue a proposed long-term ecological research project to document the characteristics and dynamics of small mammal communities in old-growth forests in Pennsylvania and compare these characteristics to those of small mammal communities in second-growth forests.

*Justification:* We know virtually nothing regarding the characteristics of small mammal communities in old-growth forests in Pennsylvania and elsewhere in North America. This research will permit us to assess how the conversion of old-growth forests to second-growth forests may influence the structure and dynamics of small mammal communities and thereby the entire forest.

*Sponsor:* Shippensburg University—Dr. Gordon Kirkland

*Cost:* \$10,000

- *Title:* Preparation and Curation of special concern mammals and bird specimens generated by Game Commission and Wild Resource Conservation Fund research

*Objective:* Help defray the costs of preparing and curating specimens of mammals and birds collected by Game Commission personnel or researchers studying special concern mammals and birds in Pennsylvania.

*Justification:* Institutional funds are not allowed to defray the costs of preparing and curating specimens collected and deposited in the Vertebrate Museum by Game Commission personnel. This also applies to specimens collected during WRCF sponsored research carried out by individuals not employed by the Vertebrate Museum.

*Sponsor:* Shippensburg Univ.—Dr. Gordon Kirkland

*Cost:* \$2,636

- *Title:* Status and Distribution Study of the Yellow-Bellied Flycatcher

*Objective:* Determine the status, natural history traits and habitat requirements of the Yellow-Bellied Flycatcher by surveying likely nesting location, monitoring breeding populations, observing breeding pairs, and analyzing vegetation and physical characteristics of nesting habitat in Pennsylvania.

*Justification:* The Yellow-bellied Flycatcher is a threatened species in Pennsylvania and one of its rarest and most poorly known nesting species. Considered one of Pennsylvania's rarest nesting species. All Yellow-Bellied Flycatchers have been found in unmanaged sections of large-scale forests.

*Sponsor:* Ecology III—Douglas Gross

*Cost:* \$5,000

- *Title:* Habitat use and selection by Neotropical migratory songbirds during migration.

*Objective:* To document patterns of habitat use by Neotropical migrant birds during migration. Using this information, management guidelines will be produced to

allow for the enhancement of habitats for migrating birds and for habitat prioritization for conservation.

*Justification:* Very little is known about the use of habitat by migratory birds during migration. Stopover habitats are a critical link in the life cycles of migratory birds, many of which are reported to have experienced population declines. Conservation efforts for migratory birds will be compromised without information on habitat requirements during migration.

*Sponsor:* Penn State—Margaret Brittingham

*Cost:* \$29,077

- *Title:* Western Pennsylvania Barn Owl Recovery Program

*Objective:* To re-establish a viable owl population by first providing nesting habitat; then eliminate the use of rodenticides on participating farms; then captive breed and release 1,000 owls and the long range goal is to educate the general public and to create farmers to re-establish fence row habitat.

*Justification:* The barn owl is a species of "special concern." By effecting the factors causing the decline, a viable population of birds can be re-established.

*Sponsor:* Moraine Preservation Fund—Wesley F. Hamilton

*Cost:* \$61,400

- *Title:* Mycophagy by Small Mammals: Implications for management and preservation of PA Forests

*Objective:* Past funding by WRCF made it possible to delimit population dynamics of species of small mammals deemed essential to contributing to the health of a PA forest ecosystem. In order to understand the role of small mammals in the ecosystem one must delineate the requirements and degree of consumption of underground fleshy fungus by small mammals. Rodents such as mice and squirrels reported impede reforestation due to consumption of tree seeds. However, they also disperse mycorrhizal inoculum this influencing colonization of species of trees.

*Justification:* Population density of small mammals coupled with their degree of consumption and rate of dispersal of inoculum will help us to understand the contribution of small mammals in regeneration of forest ecosystems following natural or human induced changes. Knowledge of forest succession will aid in developing ecologically sound management practices for our forests.

*Sponsor:* Carnegie Museum/Powdermill Biological Station—Joseph Merritt and Mike Steele/Wilkes Univ.

*Cost:* \$19,227

- *Title:* Population Dynamics of White-Footed Mice in Optimal and Disturbed Habitats

*Objective:* To understand how populations that are disturbed regain the ability to regulate their numbers.

*Justification:* Although most species live in human-altered landscapes, little is known about how populations respond to habitat disturbance. This type of information is needed in order to predict the likelihood of population survival following disturbance. An understanding of underlying mechanisms for population stabilization can assist in devising management strategies.

*Sponsor:* Indiana University—Alicia Linzey/Michael Kesner

*Cost:* \$14,464

- *Title:* Fact Sheets on Pennsylvania Wildlife

*Objective:* To develop six additional fact sheets; three in the *Wildlife Nuisance and Damage Control* series and three in the new *Pennsylvania Wildlife* series.

*Justification:* Citizens of the Commonwealth have a large interest in and need for accurate informative fact sheets on safe and effective methods of dealing with problem wildlife as well as on habitat management for wildlife.

*Sponsor:* Penn State—Margaret Brittingham

*Cost:* \$12,946

- *Title:* Maintenance of the Official List of the Birds of Pennsylvania

*Objective:* To maintain Official List, review status of all species, archive copies of slides, review new records, publish results to hold committee meetings.

*Justification:* Pennsylvania Ornithological Committee is a sub-committee of the Pennsylvania Biological Survey's Ornithological Committee which is an official advisory group to the PGC was founded to maintain the Official List of Birds of Pennsylvania, determine authenticity of rare or unusual bird sightings, original bird records, publish data on all records, provide a means by which sight records can gain acceptance as credible scientific data, establish standards in the methods of collecting and submitting quality field data.

*Sponsor:* Pennsylvania Ornithological Records Committee—Paul Schwalbe

*Cost:* \$2,000

- *Title:* Wildlife Biodiversity associated with a new forestry practice in Pennsylvania

*Objective:* Compare alpha (site-specific) diversity and population abundance of wildlife communities (breeding birds, terrestrial salamanders, and butterflies/skippers) among EAR stands of two size classes in the Valley and Ridge Province of Pennsylvania.

*Justification:* The Pennsylvania Bureau of Forestry adopted a new forest-management practice, which termed even-aged reproduction stands with reservation guidelines" or simply EAR stands for use on state forests beginning in 1992. Hence forest management has entered an exciting era because EAR stands are intended to enhance the biodiversity of wildlife in these stands. Because many investigations have been conducted on wildlife biodiversity and habitat requirements on clear-cut stands in Pennsylvania results from these past studies can be compared to those obtained on EAR trends in the proposed study. Such comparisons will be very helpful in evaluating the role of the EAR stands in enhancing or maintaining wildlife biodiversity in forested landscapes in Pennsylvania.

*Sponsor:* Penn State—Richard Yahner

*Cost:* \$27,139

- *Title:* Monitor Populations of Louisiana Waterthrush in acidified and unpolluted stream habitats

*Objective:* Study possible effects of stream acidification on the breeding biology of Louisiana Waterthrushes by comparing the availability of stream macroinvertebrates with breeding densities, foraging behavior, and nesting success in polluted and unpolluted forested stream habitats located on Powdermill Nature Reserve.

*Justification:* Degradation of riparian habitats in Pennsylvania such as that caused by acid mine drainage and

acid precipitation, for the breeding biology of Louisiana Waterthrushes is unknown. Knowledge of the possible effects of stream acidification on the population ecology and population dynamics of this species will enhance conservation efforts in the state.

*Sponsor:* Carnegie Museum of Nat. History/Powdermill Nature Reserve Robert S. Mulvihill

*Cost:* \$9,000

- *Title:* Special concern mammal species research and management

*Objective:* Gather baseline data on special-concern mammals and provide these data to the appropriate State agencies that they can formulate sound management practices for these species.

*Justification:* Mammal species of concern have not received adequate efforts to understand their status and distribution patterns in Pennsylvania. Maintaining the State's biodiversity requires the baseline data on these species to effect their long-term survival.

*Sponsor:* The Nature Conservancy—Jim Hart

*Cost:* \$25,000

- *Title:* Habitat Associations of the Swainson's Thrush

*Objective:* Test hypotheses about habitat preferences of Swainson's Thrushes in Pennsylvania a coniferous canopy of large trees (especially eastern hemlock) coupled with a sparse hardwood or softwood understory.

*Justification:* Study will focus on two new, but similar sites in remote sections of Pennsylvania, each of which processes habitat with structural features similar to those where Swainson's Thrushes have been recorded in western Pennsylvania. No evidence that either site has been extensively studied before.

*Sponsor:* The Wilderness Society—J. Christopher Haney

*Cost:* \$7,046.94

- *Title:* Young Ornithologists—research that educates

*Objective:* To combine ornithological research and science education for teenagers.

*Justification:* The Academy recognizes the critical importance of education in our quest to study and preserve the natural world and its biodiversity. To teach teenagers about ornithology and to encourage vocations and avocations in field biology we have designed Young Ornithologists using birds as the vehicle.

*Sponsor:* Academy of Natural Science—Sally Conyne/Robert Ridgely

*Cost:* \$15,000

- *Title:* Development of a monitoring program for the conservation of the long-eared owl in Pennsylvania

*Objective:* Identify wintering and breeding habitat for long-eared owl in Pennsylvania, develop a monitoring program for the conservation of the long-eared owl in Pennsylvania.

*Justification:* The Pennsylvania Partners in Flight Program has identified the long-eared owl as a priority species for the development of a monitoring program in the Commonwealth.

*Sponsor:* Penn State—Richard Yahner

*Cost:* \$9,000



- *Title:* Establishment of a network of self-guided butterfly and wildflower trails on public lands in a two-county area of Pennsylvania

*Objective:* Establish a permanent network of self-guided butterfly trails in a two-county area of Pennsylvania, inventory and monitor butterfly and wildflower populations along each trail during a 3-year period, develop self-guided tour maps and trail markers in cooperation with state agency personnel and members of the local chapter of North American Butterfly Association for each butterfly trail, develop management and conservation recommendations for each trail, cooperate with extension personnel at Penn State to develop an informational packet on the butterfly and wildflower trail network for distribution to the public.

*Justification:* Butterflies have tremendous aesthetic value to the public, adding beauty and enjoyment to any outdoor experience from May through September. Butterflies have scientific value, serving as barometers of a healthy ecosystem and are dependent on native wildflowers as a nectar source.

*Sponsor:* Richard Yahner

*Cost:* \$7,350

- *Title:* Pennsylvania Important Bird Areas Project

*Objective:* The National Audubon Society proposes to enlist the cooperation of ornithologists, bird watchers, local Audubon chapters and other organizations and governmental agencies to identify "Important Bird Areas" (IBA in Pennsylvania as a prototype for a Nationwide "IBA" program. An IBA is critical habitat used by birds in their nesting migration cycle.

*Justification:* An IBA is a site that supplies essential habitats for one or more species of birds and which, on some basis, can be distinguished from surrounding lands. IBA's must be chosen on the basis of criteria that are substantially objective, which would be developed along with a how to manual, nominated sites, quarterly newsletter, electronic database use in GIS

*Sponsor:* Mid-Atlantic Regional Office of National Audubon—Cindy Adams Dunn/Gary Crossley

*Cost:* \$12,000

- *Title:* APATH Project (Audubon Protecting Animals Through Habitat)

*Objective:* Conduct two major APATH workshops, develop a demonstration site at the Ned Smith center, Conduct a pilot mini-grant program to Audubon chapters for workshops and/or demonstration plantings

*Justification:* Audubon's mission is to conserve birds, wildlife and their habitats. One effective way Audubon has communicated the critical link between plants and animals is through the APATH program. The program gives landowners the knowledge and skill to plant native species of plants that are beneficial to birds and other wildlife.

*Sponsor:* National Audubon Society—Cindy Adams Dunn

*Cost:* \$9,500

#### **Projects Submitted to the WRCF for Funding in 1996**

- *Title:* Promote Awareness of Wild Resource Conservation Fund

*Objective:* Continue promotion and awareness of Pennsylvania's Wild Resource Conservation Fund. Make items

available such as videos, T-shirts, posters, "Keystone Wild Notes"—newsletter, and other sale items and education materials directly to the citizens of Pennsylvania.

*Justification:* With a limited staff and funds keeping the WRCF in the public awareness has been difficult. This project will allow the general public to learn of the Fund's accomplishments and past and future projects directly with minimal costs.

*Sponsor:* Robert and Thelma Clark

*Cost:* \$15,000

#### **Projects Submitted Which Cover Multi-Agencies for Funding in 1997**

- *Title:* Terrestrial Salamanders in Old-Growth versus Second-Growth Forests

*Objective:* Little is known about the relationship of wildlife to late seral stage forests. Compare species composition and relative abundance of terrestrial salamanders in old-growth with those of forests of lesser age.

*Justification:* Amphibians deserve special attention with regard to management considerations because there are a significant and important wildlife component of the fauna in most terrestrial habitats in Pennsylvania. Compared to other vertebrate groups research efforts directed toward amphibians is small or missing. Thus the fundamental data base necessary for thorough management decisions is often absent.

*Sponsor:* Penn State—Charles Schaadt

*Cost:* \$10,508.00

- *Title:* An updated assessment of Acidic Deposition in Pennsylvania

*Objective:* Assess the current state of knowledge with respect to acidic deposition impact to wildlife, plants and fish in Pennsylvania

*Justification:* Pennsylvania suffers from the highest acidic deposition in any state and it has been eight years since a conference of this type has been held.

*Sponsor:* Penn State—Wm. Sharpe

*Cost:* \$7,872

- *Title:* Multi-feature Exhibit at The Nature Center at Wildwood Lake Sanctuary

*Objective:* Contribute \$185,000 charitable contribution to The Friends Capital Campaign effort in exchange for a multi-feature exhibit.

*Justification:* Investment will help ignite the interest of young minds in nature and wetlands, promote the understanding of a valuable resource, keep environmental education affordable for school groups and promote the Wild Resource Conservation Fund.

*Sponsor:* The Friends of Wildwood Lake Nature Center, Inc.—Jan N. LeBlanc

*Cost:* \$185,000 over 6 years

ROBERT D. REBER, Jr.,  
Chairperson

[Pa.B. Doc. No. 97-1292. Filed for public inspection August 8, 1997, 9:00 a.m.]

# STATE CONTRACTS INFORMATION

## DEPARTMENT OF GENERAL SERVICES

Notices of invitations for bids and requests for proposals on State contracts for services and commodities for which the bid amount is reasonably expected to be over \$10,000, are published in the State Contracts Information Section of the *Pennsylvania Bulletin* prior to bid opening date. Information in this publication is intended only as notification to its subscribers of available bidding and contracting opportunities, and is furnished through the Department of General Services, Vendor Information and Support Division. No action can be taken by any subscriber or any other person, and the Commonwealth of Pennsylvania is not liable to any subscriber or any other person, for any damages or any other costs incurred in connection with the utilization of, or any other reliance upon, any information in the State Contracts Information Section of the *Pennsylvania Bulletin*. Interested persons are encouraged to call the contact telephone number listed for the particular solicitation for current, more detailed information.

**EFFECTIVE JULY 1, 1985, A VENDOR'S FEDERAL IDENTIFICATION NUMBER (NUMBER ASSIGNED WHEN FILING INCOME TAX DOCUMENTS) OR SOCIAL SECURITY NUMBER IF VENDOR IS AN INDIVIDUAL, MUST BE ON ALL CONTRACTS, DOCUMENTS AND INVOICES SUBMITTED TO THE COMMONWEALTH.**

Act 266 of 1982 provides for the payment of interest penalties on certain invoices of "qualified small business concerns". A qualified small business concern is an independently owned, operated for profit, business employing 100 or fewer employees and is not a subsidiary or affiliate of a corporation otherwise not qualified.

Such penalties apply to invoices for goods or services when payments are not made by the required payment date or within a 15 day grace period thereafter. The small business concern must include on every invoice submitted to the Commonwealth: "(name of vendor) is a qualified small business concern as defined at 4 Pa. Code § 2.32".

For information on the required payment date and annual interest rate, please call the Pennsylvania Department of Commerce, Small Business Action Center, 483 Forum Building, 783-5700.

### Reader's Guide

- ① Service Code Identification Number
- ② Commodity/Supply or Contract Identification No.

**B-54137.** Consultant to provide three 2-day training sessions, covering the principles, concepts, and techniques of performance appraisal and standard setting with emphasis on performance and accountability, with a knowledge of State Government constraints.

Department: General Services  
Location: Harrisburg, Pa.  
Duration: 12/1/93-12/30/93  
Contact: Procurement Division  
787-0000

③ Contract Information

④ Department

⑤ Location

⑥ Duration

⑦  
(For Commodities: Contact:)  
Vendor Services Section  
717-787-2199 or 717-787-4705

### REQUIRED DATA DESCRIPTIONS

- ① Service Code Identification Number: There are currently 39 state service and contractual codes. See description of legend.
- ② Commodity/Supply or Contract Identification No.: When given, number should be referenced when inquiring of contract of Purchase Requisition. If more than one number is given, each number represents an additional contract.
- ③ Contract Information: Additional information for bid preparation may be obtained through the departmental contracting official.
- ④ Department: State Department or Agency initiating request for advertisement.
- ⑤ Location: Area where contract performance will be executed.
- ⑥ Duration: Time estimate for performance and/or execution of contract.
- ⑦ Contact: (For services) State Department or Agency where vendor inquiries are to be made.

(For commodities) Vendor Services Section (717) 787-2199 or (717) 787-4705

## GET THAT COMPETITIVE EDGE—FOR FREE!

Do you want to do business with your state government? The Treasury Department's office of Contract Information Services can assist you by providing you with information that may be helpful to you in successfully bidding on State contracts.

Act 244 of 1980 requires Commonwealth departments and agencies to file with the Treasury Department a copy of all contracts involving an expenditure of \$5,000 or more.

These fully executed contracts usually contain the vendor's name, dollar value, effective and termination dates and contract specifications. Some contracts also include the names of other bidding vendors and the bid proposal compiled by the awarded vendor. There is a minimal cost for photocopying contracts.

Allow the Treasury Department to "make a difference for you." For contract information call the office of Contract Information Services TOLL-FREE (in Pennsylvania) at 1-800-252-4700 or (717) 787-4586. Or you may write or visit the office at Room G13, Finance Building, Harrisburg, Pa. 17120.

BARBARA HAFFER,  
*State Treasurer*

## Online Subscriptions At <http://www.statecontracts.com> 1-800-334-1429 x340

**NOTICE TO VENDORS: Policy Change**—In an effort to reduce paperwork requirements and better serve our bidding community the Department of General Services, Bureau of Purchases has adopted the following policy regarding distribution of invitations to bids. In addition to advertisement in the *Pennsylvania Bulletin*, vendors who have filed applications with the Bureau of Purchases for the bidders list for the type of commodity which the Commonwealth is interested in purchasing will receive notice of an upcoming bidding opportunity. If a bidder is interested, the bidder will be required to fax their intent to participate. The invitation to bid will be mailed to all vendors who have replied in the affirmative. Bidders who do not have access to a fax machine will be required to contact the Bureau of Purchases by telephone.

### Commodities

**1868156** Agricultural machinery and supplies—1 each provide all labor, material, supervision and all items necessary to furnish and set-up a total mixed ration (TMR) mixer/feeder. This equipment shall have a capacity of 55 bushels (approximately 70 cubic feet).

**Department:** Pennsylvania State University  
**Location:** University Park, Centre County, PA  
**Duration:** FY 97/98  
**Contact:** Vendor Services: Fax request to (717) 783-6241 or call (717) 787-2199

**1188237** Clothing and individual equipment—30 thousand 1998 Working Together Wildlife Patches (Turkey).

**Department:** Game Commission  
**Location:** Harrisburg, Dauphin County, PA  
**Duration:** FY 97/98  
**Contact:** Vendor Services: Fax request to (717) 783-6241 or call (717) 787-2199

**8208080** Construction and building materials—1 each pre-cast reinforced concrete box culvert to be manufactured, stored and set in place in accordance with Drawing S-22238.

**Department:** Transportation  
**Location:** Waterford, Erie County, PA  
**Duration:** FY 97/98  
**Contact:** Vendor Services: Fax request to (717) 783-6241 or call (717) 787-2199

**8504010** Construction and building materials—1 each box, precast concrete culvert.

**Department:** Transportation  
**Location:** Kittanning, Armstrong County, PA  
**Duration:** FY 97/98  
**Contact:** Vendor Services: Fax request to (717) 783-6241 or call (717) 787-2199

**1139157** Containers, packaging and packing supplies—5500 carton "Keep America Beautiful" trash liner (for this program—not to be printed on the bag) white opaque, 20–30 gallon size 29 x 36 1.5 mil.

**Department:** General Services  
**Location:** Harrisburg, Dauphin County, PA  
**Duration:** FY 97/98  
**Contact:** Vendor Services: Fax request to (717) 783-6241 or call (717) 787-2199

**8504000** Maintenance and repair shop equipment—340 each shovel, DHSP D handle shovel, square point 27" fiberglass handle; 1000 each shovel LHRP long handle shovel, round point 48" fiberglass handle.

**Department:** Transportation  
**Location:** Harrisburg, Dauphin County, PA  
**Duration:** FY 97/98  
**Contact:** Vendor Services: Fax request to (717) 783-6241 or call (717) 787-2199

**1136187** Paper and printing—25M E-98 (3.89) envelope—special window—Harrisburg—17128-0901 24# 6 3/4 x 3 3/4 #7 white wove recycled paper—top flap regular Phillipsburg gum line.

**Department:** Revenue  
**Location:** Harrisburg, Dauphin County, PA  
**Duration:** FY 97/98  
**Contact:** Vendor Services: Fax request to (717) 783-6241 or call (717) 787-2199

**1197077** Paper and printing—50M H112.004 (Rev 6/97) Emergency Medical Services Student Application Form; 50M H112.008 Emergency Medical Services Student Test Answer Form.

**Department:** Health  
**Location:** Harrisburg, Dauphin County, PA  
**Duration:** FY 97/98  
**Contact:** Vendor Services: Fax request to (717) 783-6241 or call (717) 787-2199

**1211207** Paper and printing—30M SP7-0033 Unattended Vehicle Tag, two (2) part carbon interleaved snapout.

**Department:** State Police  
**Location:** Harrisburg, Dauphin County, PA  
**Duration:** FY 97/98  
**Contact:** Vendor Services: Fax request to (717) 783-6241 or call (717) 787-2199

**8205650** Paper and printing—27M 1997 PA Aeronautical Chart.

**Department:** Transportation  
**Location:** Harrisburg, Dauphin County, PA  
**Duration:** FY 97/98  
**Contact:** Vendor Services: Fax request to (717) 783-6241 or call (717) 787-2199

**1173117** Textiles—100,000 lbs. batting cotton in accordance with PA Spec B-161 to be 6 lb. batts 42" x 84".

**Department:** Correctional Industries  
**Location:** Dallas, Luzerne County, PA  
**Duration:** FY 97/98  
**Contact:** Vendor Services: Fax request to (717) 783-6241 or call (717) 787-2199

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# SERVICES

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## Computer Related Services—08

**PSERS-2020** The Public School Employees' Retirement System is soliciting bids to provide data entry to Public School Employees' Retirement System quarterly reports (service, salary) employer receipts and miscellaneous forms. Average monthly key-strokes is 282,382; average monthly pickups and deliveries is 17. One day turnaround time for employer receipts. No more than a three day turnaround time for all other reports. Records to be keyed and verified. Please contact agency for complete set of specifications and requirements, Ethel Straining at (717) 720-4606.

**Department:** Public School Employees' Retirement System  
**Location:** 5 North 5th Street, Harrisburg, PA 17101  
**Duration:** January 1, 1998—December 31, 1998  
**Contact:** Ethel Straining, (717) 720-4606

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## Construction Maintenance—09

**080987** Bedford County—Access Road; Crawford County—SR 3013(B03); Mifflin County—Mid-State Walkway; Bradford County—SR 1069(02M); Chester County—SR 2021(04B); Franklin County—SR 3001(009); Butler County—SR 108(202); Allegheny County—Durable pavement marker; Greene County—SR 221(01R).

**Department:** Transportation  
**Location:** Districts 1-0, 2-0, 3-0, 6-0, 8-0, 9-0, 10-0, 11-0, 12-0  
**Duration:** FY 1997-98  
**Contact:** V. C. Shah, (717) 787-5914

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**097397-02** Contractor to supply all labor, tools, equipment, building materials and appurtenances to complete the preparation of roads and the bituminous crack filling, seal coating, and applying coarse aggregate on roads.

**Department:** Public Welfare  
**Location:** Torrance State Hospital, State Route 1014, Torrance, PA 15779-0111  
**Duration:** 09/30/97—06/30/98  
**Contact:** Linda J. Zoskey, (412) 459-4547

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**RFP 948-10.OA Phase 7, Pt. A** Project title: Replace Sound System. Brief description: replace the existing sound system with new audio systems and sub-systems within the 1500 seat auditorium of the Forum Building, Capitol Park, Harrisburg, Dauphin County, PA. General construction. Plans deposit: \$30.00 per set. Payable to: The Commonwealth of Pennsylvania. This price is non-refundable. Mail request to: The Department of General Services, Room 107, Headquarters Building, 18th and Herr Streets, Harrisburg, Pennsylvania 17125. Telephone: (717) 787-3923. Bid date: Monday, September 8, 1997 at 2:00 p.m. A facility tour is scheduled for Monday, August 18, 1997 at 10 a.m. Participants are to meet at the main entrance of the Auditorium of the Forum Building. A pre-proposal conference has been scheduled for Monday, August 25, 1997 at 10:30 a.m. in the Forum Building Auditorium, 5th and Walnut Streets, Harrisburg, PA. Contact: Fuller Runyan at the Forum, (717) 783-9100. All contractors who have secured contract documents are invited and urged to attend the Facility Tour and the pre-proposal conference.

**Department:** General Services  
**Location:** Forum Building Auditorium, Harrisburg, Dauphin County, PA  
**Duration:** Indeterminate 1997-98  
**Contact:** Contract Bidding Unit, (717) 787-6556

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**T-331** The Board of Lawrence County Commissioners hereby invites sealed written bids for the Gilmore Road Bridge (T-331) replacement project in Little Beaver Township. Bids must be submitted on forms furnished by the County. Bid forms, plans, and details are available at the office of Frank B. Taylor Engineering, R. D. 1, Box 93, New Castle, PA 16101, (412) 654-6141.

**Department:** Lawrence County  
**Location:** Lawrence County Government Center, 430 Court Street, New Castle, PA 16101  
**Duration:** 75 calendar days  
**Contact:** William A. Humphrey, (412) 654-6141

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## Engineering Services—14

**08430AG2100** To provide supplementary construction inspection staff of approximately sixteen (16) inspectors for construction inspection and documentation services for S. R. 0030, Sections MOS and 01N1, Chester County, Lancaster Pike from T. R. 252 to the Delaware County Line; S. R. 0202, Section ADV—Chester and Montgomery Counties, Swedesford Road to Gulf Road in Upper Merion and Tredyfflin Townships; S. R. 0202, Section M08—Delaware County, Smithbridge Road to Baltimore Pike, Birmingham and Concord Townships; S. R. 1005, Section 06S—Delaware County, Eagle Road over SEPTA and Cobbs Creek, Haverford Township.

**Department:** Transportation  
**Location:** Engineering District 6-0  
**Duration:** Twenty-six (26) months  
**Contact:** Consultant Agreement Division, (717) 783-9309

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**08430AG2101** To provide for final design and services during construction (consultation during construction and shop drawing review) for S. R. 0143, Section 01B, the replacement of the bridge structure (Virinville Bridge) over Maiden Creek, Richmond, Perry and Greenwich Townships in Berks County, Engineering District 5-0.

**Department:** Transportation  
**Location:** Engineering District 5-0  
**Duration:** Twelve (12) months  
**Contact:** Consultant Agreement Division, (717) 783-9309

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## Environmental maintenance—15

**BOGM 96-8R** Clean out and plug one abandoned gas well estimated to be 2,000 feet deep.

**Department:** Environmental Protection  
**Location:** East Bethlehem Township, Washington County, PA  
**Duration:** 45 days after Notice to Proceed  
**Contact:** Construction Contracts Unit, (717) 783-7994

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## Firefighting Services—18

**260095** Maintenance of computerized fire alarm system—contractor to provide all labor, parts, and supervision to maintain Mayview State Hospital's Spectronics Multiplex Model MX computerized fire alarm system in proper operation. Specifications may be obtained upon request, please call purchasing at Mayview State Hospital, (412) 257-6215.

**Department:** Public Welfare  
**Location:** Mayview State Hospital, 1601 Mayview Road, Bridgeville, PA 15017-1599  
**Duration:** 10-01-97—06-30-02  
**Contact:** F. Molisee, Purchasing Agent, (412) 257-6215

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**Fire Alarm System M-SP-97-12** The contractor shall provide to the State Correctional Institution at Coal Township testing maintenance, inspection, repairs, parts and emergency service to the Cerberus-Pyrotechnics MSL fire alarm system. Contractor must be a certified Cerberus-Pyrotechnics MXL distributor.

**Department:** Corrections  
**Location:** State Correctional Institution at Coal Township, 1 Kelley Drive, Coal Township, Shamokin, PA 17866  
**Duration:** 3 years  
**Contact:** Nancy A. Lasko, Purchasing, (717) 644-7890, ext. 142

## Food—19

**260** Red beets for processing. U. S. No. 1 or equal. All beets to be topped, washed and delivered in self-unloading trucks. Size: 1 3/4" to 2 3/4" diameter—approximately 100 tons. Size: 2 1/2" to 3 1/2" diameter—approximately 100 tons.

**Department:** Corrections  
**Location:** Correctional Industries, State Correctional Institution Rockview, Route 26, Box 1200, Bellefonte, Centre County, PA 16823  
**Duration:** October 1, 1997 through December 31, 1997  
**Contact:** Cheryl Snook, Purchasing Agent II, (814) 355-4874, ext. 251

**6942** Meat and meat products.

**Department:** Military and Veterans Affairs  
**Location:** Hollidaysburg Veterans Home, Route 220 at Meadows Intersection, P. O. Box 139, Hollidaysburg, PA 16648-0319  
**Duration:** October 1997  
**Contact:** Becky Clapper, (814) 696-5210

**6951** Bread, rolls and related products, fresh.

**Department:** Military and Veterans Affairs  
**Location:** Hollidaysburg Veterans Home, Route 220 at Meadows Intersection, P. O. Box 139, Hollidaysburg, PA 16648-0319  
**Duration:** October, November and December 1997  
**Contact:** Becky Clapper, (814) 696-5511

**M-867** Meat and meat products; poultry and poultry products; fish; cheeses. "Quantities may be obtained from Facility upon request." Deliveries to be made only at request of facility.

**Department:** Labor and Industry  
**Location:** Hiram G. Andrews Center, FOB Shipping Platform, 727 Goucher Street, Johnstown, PA 15905  
**Duration:** October, November, December 1997  
**Contact:** C. A. Sloan, Purchasing Agent, (814) 255-8228

## HVAC—22

**0850** Electrical maintenance and repair services at various buildings within the boundaries of Dauphin County.

**Department:** Transportation  
**Location:** Dauphin County, PA  
**Duration:** 1 year with 4 renewals  
**Contact:** Sue Hoff, (717) 787-5391

## Medical Services—29

**RN-97** Vendor to provide "on-call" supplemental employment for qualified Registered Nurses for a State nursing home.

**Department:** Military and Veterans Affairs  
**Location:** Southeastern PA Veterans Center, Spring City, Chester County, PA 19475  
**Duration:** November 1, 1997—June 30, 2000  
**Contact:** Theresa Barthel, Purchasing Agent, (610) 948-2493

## Property Maintenance—33

**639027-003** Thaddeus Stevens State School of Technology will be accepting bids for the resurfacing of the parking lot of Kreider Building. Approximately 2113 square yards. Work includes fine grade stone areas, level up low areas and pave. Parking lines will be restriped.

**Department:** Education  
**Location:** Thaddeus Stevens State School of Technology, 750 East King Street, Lancaster, PA 17602  
**Duration:** July 25, 1997 to August 25, 1997  
**Contact:** Betty Tompos, Business Manager, (717) 299-7749

**RJ 0800-02** Roof service contract required for the replacement of shingles and roof out at I-81, Northbound and Southbound, rest areas, East Hanover Township, Dauphin County. Performance and payment bonds required of the successful bidder. Specifications for this work available on request.

**Department:** Transportation  
**Location:** I-81, Northbound and Southbound Rest Areas, East Hanover Township, Dauphin County, PA  
**Duration:** April 1, 1998 to July 1, 1998  
**Contact:** Richard B. Jefferies, (717) 787-4783

## Real Estate Services—35

**5A** Lease Office Space to the Commonwealth of Pennsylvania. Proposals are invited to provide the Department of Environmental Protection with 39,244 useable square feet of new or existing office space in Ebensburg, Cambria County, PA, with parking for 121 vehicles, within one mile radius from Ebensburg on the northern end and a one mile radius from the Intersection of Routes 219 and 56 on the southern end. Preference will be given to industrial redevelopment sites and/or sites which have been the subject of actions to remediate an environmental problem. Proposals due: September 22, 1997. Solicitation No.: 92529.

**Department:** General Services  
**Location:** Real Estate, 505 North Office Building, Harrisburg, PA 17125  
**Duration:** Indeterminate 1997-98  
**Contact:** Doris Deckman or Cynthia T. Lentz, (717) 787-4394

**97-040-REA-1** Complete real estate fair market value appraisal indicating before and after values of a 255 acre special purpose property located in Hazle Township, Luzerne County. Contractor must be on Department's pre-qualified list of approved appraisers for special purpose properties and demonstrate experience in the appraisal of similar type properties. Subject property was used for coal mining. Several buildings of various sizes and descriptions are located on the property. Requests for bid packages must be received by August 29, 1997.

**Department:** Transportation  
**Location:** Luzerne County, PA  
**Duration:** Indeterminate 1997-1999  
**Contact:** Donald J. VanFleet, (717) 963-4073

## Sanitation—36

**SP 274347** Sealed bids will be received at the Regional Park Office No. 2, P. O. Box 287, Prospect, PA 16052, and then publicly opened and read. A bid opening date has not yet been set. For solid waste disposal at Laurel Hill State Park Complex. A bid proposal containing all pertinent information must be obtained from the office of the Park Manager.

**Department:** Conservation and Natural Resources  
**Location:** Laurel Hill State Park Complex, 1454 Laurel Hill Park Road, Somerset, PA 15501-5629  
**Duration:** January 1, 1998 to December 31, 2000  
**Contact:** Laurel Hill State Park, (814) 445-7725

**SP 274348** Sealed bids will be received at Linn Run State Park, P. O. Box 50, Rector, PA 15677-0050, and then publicly opened and read. A bid opening date has not yet been set. For solid waste disposal at Linn Run State Park, Westmoreland County. A bid proposal containing all pertinent information must be obtained from the office of the Park Manager.

**Department:** Conservation and Natural Resources  
**Location:** Linn Run State Park, P. O. Box 50, Rector, PA 15677-0050  
**Duration:** January 1, 1998 to December 31, 2000  
**Contact:** Linn Run State Park, (412) 238-6623

## Vehicle, Heavy Equipment—38

**814173** Furnish all materials, parts, tools, equipment, and labor to remove and dispose of the existing shredder and related components and install new shredder and related components, at the sewage treatment facility, at the Harrisburg International Airport, Dauphin County, Middletown, PA 17057.

**Department:** Transportation/Aviation  
**Location:** Sewage Treatment Facility, Harrisburg International Airport, Middletown, Dauphin County, PA 17057  
**Duration:** Anticipated October 1, 1997—December 31, 1997  
**Contact:** Curt Summers, (717) 705-1239

**1997-WER** Rental of winter equipment including trucks with plows and spreaders, graders, front end loaders, snow blowers, and other emergency equipment. Includes operators. Equipment is to be used in Lackawanna, Luzerne, Pike, Susquehanna, Wayne and Wyoming counties.

**Department:** Transportation  
**Location:** Lackawanna, Luzerne, Pike, Susquehanna, Wayne and Wyoming counties  
**Duration:** November 1, 1997 to April 30, 2000  
**Contact:** Bill Baker, (717) 963-4036

## Miscellaneous—39

**97-6** The Department of Corrections is seeking proposals to provide contract facility services for persons under the supervision of the PA Board of Probation and Parole. Contract facility services include room and board, treatment services, parolee monitoring and provisions for classroom vocational education and on the job vocational training, etc. Services are needed within South Central Pennsylvania.

**Department:** Corrections  
**Location:** 2520 Lisburn Road, Camp Hill, PA 17011  
**Duration:** Maximum of five years  
**Contact:** Suzanne Malhenzie, Bureau of Administration, (717) 975-4973

**1234** Site preparation, installation and all materials for a woven wire fence at 2 locations: Area 1—McClure site—located in West Beaver Township, Snyder County on north side of Shade Mountain south of McClure. Approximately 7,240 feet. Area 2—Running Gap Site—located in White Deer Township, Union County east off of Running Gap Road. Approximately 3,784 feet. Operator may bid on one or both sites.

**Department:** Conservation and Natural Resources  
**Location:** Bureau of Forestry, Bald Eagle State Forest, District No. 7, P. O. Box 147, Laurelton, PA 17835  
**Duration:** 10/1/97 to 6/30/98  
**Contact:** Andrew J. Glodek, Forester, (717) 922-3344

**639027-003** Thaddeus Stevens State School of Technology will be accepting bids for football clothing and helmets.

**Department:** Education  
**Location:** Thaddeus Stevens State School of Technology, 750 East King Street, Lancaster, PA 17602  
**Duration:** July 25, 1997 to August 25, 1997  
**Contact:** Betty Tompos, Business Manager, (717) 299-7749

**SPC 357003** The objective of this project is to provide for emergency road response for PennDOT. This service shall be limited to PennDOT's right-of-way within Engineering District 8-0 to include Adams, Cumberland, Franklin, York, Dauphin, Lancaster, Lebanon, and Perry counties. Work is limited to initial incident response, removal of obstructions and materials, from the right-of-way, containerization, transportation, characterization, storage and disposal of wastes generated within PennDOT's right-of-way. No excavation shall be performed. Requests for a bid package must be faxed to the attention of Tina Chubb at (717) 783-7971.

**Department:** Transportation  
**Location:** Bureau of Office Services, within the counties that make up Engineering District 8-0  
**Duration:** Up to 5 years  
**Contact:** Tina Chubb, (717) 787-7001

**1997-1** Pennsylvania nonprofit organizations, which have previously conducted successful mathematics and/or science professional development activities, and Pennsylvania institutions of higher education are invited to submit applications to conduct professional development programs to improve teaching and learning in mathematics and science in the Commonwealth. Funding is from Subchapter II—Dwight D. Eisenhower Professional Development Program—The Improving America's Schools Act of 1994 (P. L. 103-382).

**Department:** Education  
**Location:** 333 Market Street, Harrisburg, PA 17126-0333  
**Duration:** Through August 15, 1999  
**Contact:** Linda J. Benedetto, (717) 772-3623, TDD (717) 783-8445

[Pa.B. Doc. No. 97-1293. Filed for public inspection August 8, 1997, 9:00 a.m.]

## DESCRIPTION OF LEGEND

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| <p><b>1</b> Advertising, Public Relations, Promotional Materials</p> <p><b>2</b> Agricultural Services, Livestock, Equipment, Supplies &amp; Repairs: Farming Equipment Rental &amp; Repair, Crop Harvesting &amp; Dusting, Animal Feed, etc.</p> <p><b>3</b> Auctioneer Services</p> <p><b>4</b> Audio/Video, Telecommunications Services, Equipment Rental &amp; Repair</p> <p><b>5</b> Barber/Cosmetology Services &amp; Equipment</p> <p><b>6</b> Cartography Services</p> <p><b>7</b> Child Care</p> <p><b>8</b> Computer Related Services &amp; Equipment Repair: Equipment Rental/Lease, Programming, Data Entry, Payroll Services, Consulting</p> <p><b>9</b> Construction &amp; Construction Maintenance: Buildings, Highways, Roads, Asphalt Paving, Bridges, Culverts, Welding, Resurfacing, etc.</p> <p><b>10</b> Court Reporting &amp; Stenography Services</p> <p><b>11</b> Demolition—Structural Only</p> <p><b>12</b> Drafting &amp; Design Services</p> <p><b>13</b> Elevator Maintenance</p> <p><b>14</b> Engineering Services &amp; Consultation: Geologic, Civil, Mechanical, Electrical, Solar &amp; Surveying</p> <p><b>15</b> Environmental Maintenance Services: Well Drilling, Mine Reclamation, Core &amp; Exploratory Drilling, Stream Rehabilitation Projects and Installation Services</p> <p><b>16</b> Extermination Services</p> <p><b>17</b> Financial &amp; Insurance Consulting &amp; Services</p> <p><b>18</b> Firefighting Services</p> <p><b>19</b> Food</p> <p><b>20</b> Fuel Related Services, Equipment &amp; Maintenance to Include Weighing Station Equipment, Underground &amp; Above Storage Tanks</p> <p><b>21</b> Hazardous Material Services: Abatement, Disposal, Removal, Transportation &amp; Consultation</p> | <p><b>22</b> Heating, Ventilation, Air Conditioning, Electrical, Plumbing, Refrigeration Services, Equipment Rental &amp; Repair</p> <p><b>23</b> Janitorial Services &amp; Supply Rental: Interior</p> <p><b>24</b> Laboratory Services, Maintenance &amp; Consulting</p> <p><b>25</b> Laundry/Dry Cleaning &amp; Linen/Uniform Rental</p> <p><b>26</b> Legal Services &amp; Consultation</p> <p><b>27</b> Lodging/Meeting Facilities</p> <p><b>28</b> Mailing Services</p> <p><b>29</b> Medical Services, Equipment Rental and Repairs &amp; Consultation</p> <p><b>30</b> Moving Services</p> <p><b>31</b> Personnel, Temporary</p> <p><b>32</b> Photography Services (includes aerial)</p> <p><b>33</b> Property Maintenance &amp; Renovation—Interior &amp; Exterior: Painting, Restoration, Carpentry Services, Snow Removal, General Landscaping (Mowing, Tree Pruning &amp; Planting, etc.)</p> <p><b>34</b> Railroad/Airline Related Services, Equipment &amp; Repair</p> <p><b>35</b> Real Estate Services—Appraisals &amp; Rentals</p> <p><b>36</b> Sanitation—Non-Hazardous Removal, Disposal &amp; Transportation (Includes Chemical Toilets)</p> <p><b>37</b> Security Services &amp; Equipment—Armed Guards, Investigative Services &amp; Security Systems</p> <p><b>38</b> Vehicle, Heavy Equipment &amp; Powered Machinery Services, Maintenance, Rental, Repair &amp; Renovation (Includes ADA Improvements)</p> <p><b>39</b> Miscellaneous: This category is intended for listing all bids, announcements not applicable to the above categories</p> |
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GARY E. CROWELL,  
*Secretary*

**Contract Awards**

The following awards have been made by the Department of General Services, Bureau of Purchases:

<b>Requisition or Contract #</b>	<b>Awarded On</b>	<b>To</b>	<b>In the Amount Of</b>
1056207-01	07/23/97	SRT Supply, Inc.	14,878.20
2610-09	08/01/97	Good Tire Service	74,000.00
2610-09	08/01/97	Bergey's, Inc.	12,000.00
2610-09	08/01/97	TPS Distributing Co., Inc.	2,000.00
2610-09	08/01/97	Export Tire Co.	110,000.00
2610-09	08/01/97	Service Tire Truck Centers	32,000.00
2610-09	08/01/97	Bastian Tire Sales, Inc.	118,000.00
8970120-01	07/25/97	Allenwood Rental and Supply	15,971.00

<b>Requisition or Contract #</b>	<b>Awarded On</b>	<b>To</b>	<b>In the Amount Of</b>
8970180-01	07/24/97	Mack Sales and Service, Inc.	123,900.00
8970180-02	07/24/97	Globe Trailers of Florida, Inc.	64,300.00
8970320-01	07/23/97	Plaza Ford/Motors Fleet	52,416.00
8970320-02	07/23/97	Sansone Chevrolet/Motors Fleet	98,146.00
8970430-01	07/23/97	Valk Manufacturing Co.	144,056.00

GARY E. CROWELL,  
*Secretary*

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